

COMMISSION MEETING AGENDA
Bahia Hotel
998 West Mission Bay Drive
San Diego, California
July 25, 1985, 10 a.m.

CALL TO ORDER

FLAG SALUTE

ROLL CALL OF COMMISSION MEMBERS

RECOGNITION OF ADVISORY COMMITTEE MEMBERS PRESENT

INTRODUCTIONS

APPROVAL OF MINUTES

- A. Approval of the minutes of the April 25, 1985 regular Commission meeting at the Beverly Garland Motor Lodge in Sacramento.

CONSENT CALENDAR

B.1. Receiving Course Certification Report

Since the April meeting, there have been 25 new certifications and 15 decertifications. In approving the Consent Calendar, your Honorable Commission takes official note of the report.

B.2. Receiving Information on New Entries Into POST Specialized Program

Commission procedures provide for agencies to enter the POST Specialized Program when qualifications have been met. In approving the Consent Calendar, your Honorable Commission notes that the following agencies have met the requirements and have been accepted:

- o Department of Health Services - Food and Drug Branch, Investigations Unit
- o California Office of Emergency Services - Law Enforcement Division

B.3. Receiving Report - Study of Part-Time Employment Toward Certificate Eligibility

As directed at the April Commission meeting, staff has initiated further study of the matter of recognizing part-time employment as a basis for the award of professional certificates.

The report under this tab will be reviewed with the POST Advisory Committee as requested by the Commission. A final report will be prepared for presentation to the Commission at the October meeting.

In approving the Consent Calendar, the Honorable Commission receives the progress report.

B.4. Receiving the End of Year Financial Report for F.Y. 1984/85

The year end financial report will be provided at the meeting for information purposes. In approving the Consent Calendar, your Honorable Commission receives the report.

PUBLIC HEARING

C. Allowing Reimbursement for Repeat Attendance of Basic Course For Officers Returning to Law Enforcement Following a Break in Service of Three Years or Longer

At the April 25, 1985 meeting, the Commission scheduled a public hearing to consider amending Regulation 1015 to provide reimbursement for required Basic Course retraining.

Existing regulations prohibit reimbursement when a trainee attends a particular training course for the second or subsequent time. There may be exceptions such as: 1) When the course is by its nature designed for repeat attendance (such as the Advanced Officer Course), or 2) where special circumstances exist and advanced written approval is granted by the Executive Director.

The Commission recently modified Regulation 1008 to require retraining (or successful completion of the waiver process) in the Basic Course for previously trained officers with a three-year or longer break in service. Because of this training requirement for those with a break in service, it seems appropriate to revise Regulation 1015 to specifically allow for reimbursement when officers with a three-year break in service are retrained pursuant to Regulation 1008.

Subject to input at the Public Hearing, if the Commission concurs, the appropriate action would be a MOTION to approve the proposed regulation change to become effective on November 1, 1985.

STANDARDS AND EVALUATION

D. Review of Reading/Writing Tests Progress and Recommendations to Continue Commission Funding of POST Reading and Writing Tests and to Encourage Language Skills Testing of Pre-Service Cadets

At the June 1984 Commission meeting, the Commission, after receiving a report evaluating the impact of the reading and writing standard, directed staff to continue to study and monitor reading and writing test scores for another year. The report under this tab describes the results of the past year's study.

Findings reached as a result of this study are:

1. Reading and writing test scores of recruit peace officers have improved significantly in the past year.

2. Twenty-five percent (25%) of all agencies in the POST Regular Program now use the POST reading/writing tests; the average minimum passing score used by the agencies significantly exceeds the minimum score recommended by POST.
3. Other agencies are using alternate reading and writing tests and are as a group showing improvement in scores.
4. Non-screened open enrollment students in community college based academies continue to show serious deficiencies in reading/writing skills based upon their test scores.

These findings lead to the following conclusions:

1. Since a desirable effect appears evident, action by the Commission to establish more stringent standards for screening of applicants does not appear necessary at this time.
2. Steps should be taken to encourage all academies to screen open enrollment students for reading/writing skills.
3. Staff should continue to monitor test scores during the 85/86 FY.
4. The Commission should continue to fund use of the POST reading/writing test battery for another year.

If the Commission concurs, the appropriate action would be a MOTION to:

1. Authorize staff to actively work with POST-certified basic academies to seek the desired objective of ensuring that all nonaffiliated students are prescreened for reading and writing ability.
2. For purposes of continuing to encourage agencies/academies to use the POST reading and writing tests to screen job applicants/academy trainees during FY 85/86, approve the expenditure of an amount not to exceed \$102,000 for test administration and scoring services to be provided under contract by Cooperative Personnel Services and the California State Personnel Board.
3. For purposes of continuing to monitor the impact of POST's reading/writing regulation, approve the expenditure of an amount not to exceed \$18,000 for contract services from Cooperative Personnel Services to administer the POST reading and writing tests to all academy trainees for a six month period. (ROLL CALL VOTE)

If the Commission concurs with these recommendations, a full progress report will be presented to the Commission at its July 1986 meeting.

TRAINING PROGRAM SERVICES

E. Report and Recommendation to Approve Basic Course Curriculum Changes

As part of POST's ongoing effort to maintain the Basic Course curriculum, POST staff, with the input of academy instructors who teach particular subject areas, periodically reviews and updates curriculum. Recommended changes are brought to the Commission for approval quite often so that the Basic Course can always be fresh and current.

Before the Commission at this meeting are recommended changes to Patrol Procedures. These include the addition of one performance objective in Missing Persons and the deletion of the learning goal and performance objective in Mutual Aid. In addition, the deletion and addition of one performance objective in Unusual Occurrences and a change in title of Learning Goal 8.39.0 Unusual Occurrences to Hazardous Occurrences is being recommended.

The changes have been reviewed and endorsed by the academy directors. All recommended changes are consistent with the Commission policy that locally set performance objectives not be part of the statewide Basic Course mandate.

If the Commission concurs, the appropriate action would be a MOTION to approve the recommended changes to the Basic Course curriculum effective October 1, 1985.

F. Recommendation to Schedule a Public Hearing on a Proposal to Change the Basic Course Waiver Process by: Creating a Skills Testing Element; Revising the Written Test; and Assigning POST Initial Evaluation and Screening Responsibilities for Persons Applying for the Waiver Process

The existing BCW Examination consists of a 3 1/2-hour paper and pencil written exam to measure the applicant's knowledge of basic course subjects. Penal Code Section 13511 requires that the test shall be constructed to verify possession of minimum knowledge and skills. It is proposed that a five-hour manipulative skills testing requirement be added to the process. Only the most critical skills objectives were selected so as not to have excessive examination cost. The present Basic Course Waiver Process costs the applicant \$75.00 for evaluation and \$91.00 for the test. The skills element will add \$200 to the testing fee.

It is proposed that the written examination be revised as one intact comprehensive exam that is pass/fail. The existing modules would be deleted. The updated, three-hour exam will improve the overall validity and necessitate the elimination of current options to be retested or retrained in modular areas. Applicants will be given one opportunity to retest for the entire exam. Persons who fail the second time would be required to complete the Basic Course.

It is also proposed that the existing "employed" and "under consideration for hire" prerequisites specified in Regulation 1008 and

Procedure D-11 be modified to allow the Commission discretion to evaluate waiver applicants without a specific request from an employer. The current policy can create hardships for applicants and administrative problems for employers. If this proposal is acceptable to the Commission, it is suggested it be contingent upon approval of a 1986-87 budget change proposal to add one staff member as this would result in an increased staff workload. Therefore, this proposal would become effective July 1, 1986, while other proposals would become effective January 1, 1986.

Other changes proposed include adding to Procedure D-11 the recently adopted guidelines for exempting certain persons from the three-year rule, deleting reference to a 400-hour basic course, deleting the 30-day minimum time period before re-examination, and adding other existing Commission policies into Procedure D-11.

If the Commission concurs, the appropriate action would be a MOTION to approve a public hearing for the October 1985 meeting to add a skills testing component to the Basic Course Waiver Process, revise written testing procedures, delete "employed" and "under consideration for hire" prerequisites, and to make other changes to Commission Regulation 1008 and Commission Procedure D-11.

G. Report and Recommendation to Adopt Domestic Violence Guidelines and Related Training Standards

In 1984, the California Legislature passed Senate Bill 1472 (Watson) (now Section 13519, 13700 et seq. of the Penal Code).

The work has been completed six months before the January 1, 1986 legal mandate. It is recommended that the Commission:

1. Approve the guidelines for law enforcement response to domestic violence cases and authorize printing and distribution;
2. Approve inclusion of instruction in the specific domestic violence topics in the POST Basic Course;
3. Approve in-service training for officers and supervisors as well as management consistent with the intent of the legislation and encourage the preparation of training media and other techniques to facilitate training and information dissemination, and
4. Authorize the Executive Director to report to the Legislature on behalf of the Commission on the results of this project.

Pursuant to the direction of the Commission, guidelines for law enforcement response to domestic violence have been developed. Also, the curriculum which will satisfy both the basic training and in-service training requirements has been prepared. Staff has worked closely with an advisory committee, and care was taken to ensure that both the guidelines and curriculum complied with legal mandates, yet retained flexibility for law enforcement agencies to meet local and varying needs.

If the Commission concurs, the appropriate action would be a MOTION adopting the recommendations with the understanding that the materials are completed and available. Effective date for basic course changes would be January 1, 1986, and other actions effective immediately.

EXECUTIVE OFFICE

H. Recommendation on the Final Salary Reimbursement Rate for F.Y. 1984/85

Each year, the Commission establishes a conservative salary reimbursement baseline and then evaluates training levels and available resources during the year, making adjustments upward as they are indicated and warranted. At the end of the year, the Commission then makes the final retroactive salary reimbursement rate adjustment for the fiscal year. This final amount is what the baseline would be from the beginning of the year if every nuance of training volumes and costs could be accurately predicted.

For Fiscal Year 1984/85, this level of support will permit the Commission to adopt a final reimbursement rate of 71.1% for the Basic Course and 86.1% for other salary reimbursable courses. This recommendation has been reviewed by the Commission's Finance Committee, and comes to the Commission with their approval.

If the Commission concurs, the appropriate action would be a MOTION to approve the distribution of the remaining aid to local government moneys for Fiscal Year 1984/85 which will approximate 71.1% for the Basic Course and 86.1% for other salary eligible courses certified by the Commission. (ROLL CALL VOTE)

I. Recommendation on 1985-86 Reimbursement Rate Baseline

The recommendation for the initial baseline reimbursement rate for Fiscal Year 1985/86 is based on Commission policy of establishing a conservative, sustainable base rate. Then, during the fiscal year, the Commission can review training volumes and moneys available and make adjustments in the rate retroactively as indicated.

For Fiscal Year 1985/86, the initial salary reimbursement rate is recommended at 60% for the Basic Course and 70% for other salary eligible courses. These rates are higher than the beginning salary reimbursement rate last year, and include an allocation for approximately 6% increase in salaries to local peace officers. In all likelihood, this rate will also allow the Commission to increase the rate during the course of the year. This recommendation has been thoroughly reviewed by the Finance Committee and comes to the Commission with the support of the Finance Committee.

The appropriate action if the Commission concurs, is a MOTION to establish the beginning salary reimbursement rate for Fiscal Year 1985-86 at 60% for the Basic Course and 70% for other salary eligible courses. (ROLL CALL VOTE)

J. Recommendation to Approve Contracts for the Services of Three Temporary Special Consultants to Work in High Liability Training Programs

The Commission was successful in obtaining a \$1.3 million budget allocation for the 1985/86 Fiscal Year for the purpose of developing and bringing on line specialized training in certain critical, liability-causing areas such as firearms, driver training, domestic violence, etc. Particular attention was to be given to using modern technologies such as lasers, computers, videos, simulators and the like. While the budget dollars were approved, the three positions requested to carry out this assignment were not approved as part of the budget. There was an understanding that POST would have to look to contracts to fill in the gap.

What is being requested is approval of an amount not to exceed \$210,000 for the temporary services for up to three special consultants. Each of these would be responsible for specific projects and would work under the general supervision of POST staff in coordinating the development of the training and technology. This proposal has been reviewed by the Finance Committee and has their full concurrence.

If the Commission concurs, the appropriate action would be a MOTION to approve up to three contracts for the one-year services of three special consultants at a cost not to exceed \$210,000 pursuant to the 1985-86 budget change proposal on specialized training. (ROLL CALL VOTE)

K. Recommendation to Award Contract for Development of Test Item Data Bank Software

Pursuant to a budget change proposal authorized by the Commission, \$61,000 in contract money was authorized in the 1985-86 F.Y. budget to develop software for the automated test item bank which will function as a service to basic academies. A competitive bid process is nearing completion, and it is expected that the successful bidder will be identified prior to the Commission meeting.

The Finance Committee recommends that the Commission authorize the Executive Director to sign a contract for this purpose in an amount not to exceed \$61,000, assuming a successful bidder is forthcoming. (ROLL CALL VOTE)

COMMITTEE REPORTS

L. Finance Committee

The Finance Committee met on Friday, June 28, 1985. In addition to reviewing recommendations to the Commission on reimbursement and contracts, the Committee's main purpose was to consider budget change proposals for Fiscal Year 1986/87. Committee Chairman Gale Wilson

will report on the Committee's recommendation that the Commission approve 11 budget change proposals for Fiscal Year 1986/87 totaling \$833,843. Last year the Commission asked for 7.5 personnel years in its BCP's for 1985/86 year just entered. None of these permanent positions was approved. The volume and complexity of the work and the type of program that the Commission's staff administers requires additional help. This year the Committee is recommending seven new positions to provide needed program services.

M. Long Range Planning Committee

Commissioner Gale Wilson will report on the meeting of June 24, 1985.

N. Legislative Review Committee

Commissioner Sherman Block, Chairman of the Legislative Review Committee, will report on the meeting of the morning of July 25, 1985.

O. Ad Hoc Committee on Eligibility for Command College

Commissioner Robert Wasserman, Chairman of the Committee on Eligibility for the Command College, will report that the Committee recommends the following eligibility criteria, all of which must be met by persons wishing to apply for the Command College:

1. Must have completed the POST Management Course;
2. Must occupy a law enforcement management position which demonstrably includes full-time permanent responsibility to supervise others whose duties include supervising other full-time permanent personnel. This is generally at the rank of lieutenant or higher;
3. Must demonstrate the potential for an executive position, and
4. Must demonstrate the ability to influence policy or impact the operation of the agency.

P. Organizational and Personnel Policies Committee

Glenn Dyer, Chairman of the Organizational and Personnel Policies Committee, will report on the meeting of July 25, 1985, at 8:15 a.m.

Q. Advisory Committee

Joe McKeown, Chairman of the Advisory Committee, will report on the meeting of July 24, 1985.

OLD/NEW BUSINESS

R. Advisory Committee Appointments

The terms of a number of Advisory Committee members will expire before the Commission's October meeting. As is practice, the Commission considers nominations by constituent agencies. In each case, three nominees have been provided and the first choice identified. Chairman Vernon will present the names at the meeting for the Commission's considerations.

- o Peace Officers' Research Association of California (PORAC)
- o California Peace Officers' Association (CPOA)
- o Women Peace Officers' Association (WPOA)
- o California Association of Administration of Justice Educators (CAAJE)
- o California Association of Police Training Officers (CAPTO)
- o Honorary Public Member, Attorney General Edwin Meese, III

S. 1. Letter from Chief Richard Brug, Cal Poly - San Luis Obispo

POST has received a letter from Chief Richard Brug of Cal Poly, San Luis Obispo, requesting that Campus Chiefs who desire to apply to the Command College be exempted from the Assessment Center process. It is recommended the issue be referred to the Command College Committee. The Campus Chiefs or others who would like to be present will have the opportunity, and the Committee can report its recommendation back to the Commission at a future meeting.

2. Letter from Glen Craig, Director, Department of Justice, Division of Law Enforcement

A letter has been received from Director Craig requesting that consideration be given to granting eligibility for certain DOJ, Division of Law Enforcement personnel to attend the Command College. The Commission has not previously addressed this issue. If Commissioners believe that consideration should be granted, it is recommended that this issue also be referred to the Command College Committee.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

October 24, 1985, Hyatt Hotel, Oakland Airport
January 22, 1986, Bahia Hotel, San Diego (on Wednesday, one time only)
April 24, 1986, Sacramento Hilton, Sacramento
July 24, 1986, San Diego



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

4949 BROADWAY
P. O. BOX 20145
SACRAMENTO 95820-0145

COMMISSION MEETING MINUTES
April 25, 1985
Beverly Garland Motor Lodge
Sacramento, California

The meeting was called to order at 10 a.m. by Chairman Vernon.

Chairman Vernon led the salute to the flag.

OATH OF OFFICE FOR NEW COMMISSIONERS

New Commissioners Sherman Block, Sheriff, Los Angeles County; Edward Maghakian, retired from the California Highway Patrol; and Raquel Montenegro, Ph.D., Professor of Education, California State University at Los Angeles, Department of Elementary Education, were administered the oath of office by a representative of the Governor's Office.

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll indicated a quorum was present.

Commissioners Present:

Robert L. Vernon	- Chairman
B. Gale Wilson	- Vice-Chairman
Sherman Block	- Commissioner
Glenn E. Dyer	- Commissioner
Carm J. Grande	- Commissioner
Cecil Hicks	- Commissioner
Edward Maghakian	- Commissioner
Raquel Montenegro	- Commissioner
C. Alex Pantaleoni	- Commissioner
Charles B. Ussery	- Commissioner
Robert Wasserman	- Commissioner
John Van de Kamp	- Attorney General - Ex Officio Member

Also Present

Michael T. Sadleir, Vice-Chairman, POST Advisory Committee

Staff Present:

Norman Boehm	- Executive Director
Glen Fine	- Deputy Executive Director
Don Beauchamp	- Assistant to the Executive Director
Dave Allan	- Bureau Chief, Compliance and Certificates
Ron Allen	- Bureau Chief, Training Delivery Services - No.
John Berner	- Bureau Chief, Standards and Evaluation
Ray Bray	- Senior Consultant, Training Program Services
Gene DeCrona	- Bureau Chief, Executive Office
Katherine Delle	- Executive Secretary
Georgina Pinola	- Staff Services Analyst, Information Services

Ted Morton	- Bureau Chief, Center for Executive Development
Otto Saltenberger	- Bureau Chief, Administrative Services
Harold Snow	- Bureau Chief, Training Program Services
Darrell Stewart	- Bureau Chief, Training Delivery Services - So.
George Williams	- Bureau Chief, Information Services
Imogene Kauffman	- Executive Secretary

Visitors Roster:

Ellen Abels	- San Mateo County Personnel Dept.
Al Angele	- Calif. Organization of Police and Sheriffs
Robert Blankenship	- Lieutenant, Redding Police Dept.
Don Brown	- Sergeant, Burbank Police Department
Len Cardoza	- San Mateo County Sheriff's Dept.
Ben Clark	- Sheriff, Riverside County
Ray Davis	- Chief, Santa Ana Police Department
Darla Farber	- Calif. State Marshals' Assoc.
Aubrey Holloway	- California State Police
Dana F. Hunt	- Contra Costa County Sheriff's Dept.
Ron Lowenberg	- Chief of Police, Cypress Police Dept., Rep. Calif. Chiefs' Assoc.
Bill O'Connor	- Board of Corrections
Richard Platt	- San Mateo County Sheriff's Dept.
William Shinn	- Contra Costa County Sheriff's Dept.
Al Tronaas	- Assistant Sheriff, Mono Co. Sheriff's Dept.
Terry White	- San Francisco Sheriff's Dept.
Robert Whitmer	- Chief, Redding Police Department
Gary Wiley	- Redondo Beach Police Dept./CAPTO
Shelby Worley	- Riverside County Sheriff's Dept.

SPECIAL ACKNOWLEDGEMENTS

Chairman Vernon presented a plaque to former Commissioner Al Angele for his service on the Commission. Al Angele served from July 1979 to July 1984 as a representative of the public.

APPROVAL OF MINUTES

A. January 24, 1985 Meeting

MOTION - Wilson, second - Pantaleoni, carried unanimously for approval of the minutes of the January 24, 1985 regular Commission meeting at the Hilton Hotel in San Diego.

CONSENT CALENDAR

MOTION - Ussery, second - Wasserman, carried unanimously for approval of the following Consent Calendar:

B.1. Receiving Course Certification Report

Since the January meeting, there have been 17 new certifications and 2 decertifications.

B.2. Receiving Information on New Entry Into POST Specialized Program

It was reported that the California Department of Mental Health - Investigation Unit - had met the requirements and had been accepted into the POST Specialized Program.

B.3. Affirming Commission Policies Set by Actions at the January 1985 Commission Meeting

The following policy statement was submitted for approval as adopted by the Commission at its regular meeting on January 24, 1985:

GUIDELINES FOR WAIVER OF TESTING/RETRAINING REQUIREMENT

The Executive Director may waive the testing/retraining requirement under Commission Regulation 1008 for an individual who is returning to law enforcement employment after a three-year or longer break in service, possesses a POST Basic Certificate, and:

1. Is re-entering a middle management or executive rank and who will function at least at the second level of supervision; or
2. Has been (with no more than a 60-day break in service between law enforcement employers) employed continuously in another state as a full-time peace officer; or
3. Has served (with no more than a 60-day break in service between law enforcement employers) continuously as a Level I or Level II reserve officer in California and the individual's department head attests in writing that the reserve officer is currently proficient; or
4. The individual's employment, training, and education during the break in service provides assurance, as determined by POST, that the individual is currently proficient.

B.4. Receiving Financial Report - Fourth Quarter F.Y. 1984/85

This report provided financial information relative to the local assistance budget through March 31, 1985. The report was presented and accepted and is on file at POST headquarters.

B.5. Adopting Resolution of Commendation for Bob Blankenship, a POST Management Fellow from Redding Police Department

A Resolution commending Bob Blankenship at the conclusion of his POST Management Fellowship was read and presented by Chairman Vernon. Mr. Blankenship is a Lieutenant with the Redding Police Department and served with POST for four months in an outstanding fashion. He coordinated the work of the POST Domestic Violence Advisory Committee in developing guidelines for law enforcement's response to domestic violence as required by P.C. 13519. Lieutenant Blankenship, accompanied by Chief Bob Whitmer from the Redding Police Department, accepted the Resolution.

PUBLIC HEARING

C. Amendment of Definition of Regular Officer so as to Require the Basic Course for all P.C. 830.1 Empowered Peace Officers and Setting Minimum Standards for Limited Function Peace Officers Appointed Prior to July 1, 1985

The purpose of this public hearing was to consider proposed changes of Commission Regulations to require that as of July 1, 1985, certain peace officers described in P.C. 830.1 complete the POST regular Basic Course. Officers described in P.C. 830.1 who were appointed for purposes other than general enforcement of criminal laws (Limited Function Officers) prior to July 1, 1985, must complete the P.C. 832 Course. The Commission also considered proposed changes in Regulations 1001, 1003, 1005, 1011, and 1015. The public hearing was held in compliance with the requirements set forth in the Administrative Procedures Act to provide public input on the proposed Regulation changes.

A report was presented by the Executive Director which included a summarization of written testimony received from the following:

Robert T. Reber, Chief of Police, City of Buena Park, stated he is opposed to the limited service category which would impact jailers and/or matrons. However, he would support the proposed change if there was a foreseeable benefit for employees, the department, or the community. Chief Reber requests that the position of jailer/matron be removed from consideration.

Tom A. Young, Administrative Services Officer, writing for Richard Rainey, Sheriff-Coroner, Contra Costa County, requested temporary deputies, who meet the definition of "Public Officer" as defined in P.C. Sections 831 and 831.5, be excluded from the requirements of the proposed changes.

Ronald C. Driscoll, Chief of Police, San Francisco International Airport Police, recommended the proposal before the Commission be expanded to include airport law enforcement (P.C. 830.4(K)), and further requested the Commission consider requiring officers assigned to airport security to adhere to the regular basic course training requirements retroactively.

Steven Costa, Deputy Marshal, Contra Costa County, was opposed to labeling a group of peace officers as "limited function" and feared that action to do so would fragment peace officers into first- and second-class officers.

Len Delaney, President, PORAC, stated the Peace Officers Research Association of California supported the Commission's proposal to set minimum selection and training requirements for limited function peace officers.

Oral testimony was received from the following:

Richard Platt, Captain, San Mateo County Sheriff's Department, spoke in opposition stating "limited function" would include a

classification of his department of Deputy Sheriff I who are limited service officers by administrative action and do not attend the basic academy. The title of Deputy I is used to improve recruiting capability, and recruitment would be impaired if the basic academy were the training standard.

Ellen Abels, San Mateo County Personnel Department, spoke in opposition stating the department would be penalized and their recruiting tool of Deputy I title impaired by the proposed basic course training requirement.

The hearing was closed, discussion ensued, and the following action was taken:

MOTION - Pantaleoni, second - Van de Kamp, carried unanimously that the Commission Regulations be amended to read as follows:

1001. Definitions (continued) (Effective July 1, 1985)

- (o) "Limited Function Peace Officer" is a deputy sheriff, regularly employed and paid as such, of a county, a police officer of a city, a police officer of a district authorized by statute to maintain a police department, who is designated on or prior to June 30, 1985, to be a peace officer as described in Penal Code Section 830.1, and is employed to perform duties other than the prevention and detection of crime and the general enforcement of the criminal laws of the state.

Change paragraph lettering (o) to (p), (p) to (q), (q) to (r), (r) to (s), (s) to (t), and (t) to (u) to read:

- (u) "Regular Officer" is a sheriff, undersheriff, or deputy sheriff, regularly employed and paid as such, of a county, a police officer of a city, a police officer of a district authorized by statute to maintain a police department, a police officer of a department or district enumerated in Penal Code Section 13507, or a peace officer member of the California Highway Patrol.

Change paragraph (u) to (v).

1003. Notice of Peace Officer Appointment/Termination
Amended to read:

Whenever a regular, specialized, limited function, or reserve officer is newly appointed, enters a department laterally, terminates, or changes peace officer status within the same agency, the department shall notify the Commission within 30 days of such action on a form approved by the Commission as prescribed in PAM Section C-4, "Notice of Peace Officer Appointment/Termination."

1005. Minimum Standards for Training

(a) Basic Training (Required)
Amended to read:

- (1) Every regular officer, except those participating in a POST-approved field training program, shall satisfactorily meet the training requirements of the Basic Course before being assigned duties which include the exercise of peace officer powers.
- (5) Every limited function peace officer shall satisfactorily meet the training requirements of the Arrest and Firearms (P.C. 832) Course.
- (6) Every peace officer listed in paragraphs (1) - (5) shall complete the training requirements of Penal Code Section 832 prior to the exercise of peace officer powers.

1011. Certificates and Awards

- (f) Limited function peace officers are not eligible for POST professional certificates.

1015. Training for Non-Sworn and Paraprofessional Personnel

(a) Proportionate Reimbursement

- (2) A jurisdiction that employs limited function peace officers may be reimbursed for allowable expenses related to attendance of POST-certified courses.

Amended MOTION - Wasserman, approved by Pantaleoni and Van de Kamp, to amend the motion to include language to reflect that the definition "Limited Function Peace Officer" be applied to correcting this existing problem and not in any way be construed as a new classification of peace officer.

D. APPEAL OF CERTIFICATE DENIAL

A staff report was presented on the issue of the Commission allowing experience not conforming to the definition of "full-time employment" toward the awarding of professional certificates.

Edward R. Thomas, a Deputy Sheriff with the Sacramento County Sheriff's Department, addressed the Commission to appeal the denial of the award of an Intermediate Certificate with eligibility based in part on experience gained while serving as a part-time, "on call" (Level 1 Reserve) provisional deputy. Thomas had been advised in writing by the Executive Director that provisional deputy sheriff employment cannot be considered as experience toward the awarding of certificates. Thomas stated that all accrued time worked counts toward promotions, and he had achieved all training requirements and passed all required tests.

During discussion it was stated that this issue was too broad to be disposed of at this time, and the following action was taken:

MOTION - Wasserman, second - Ussery, motion carried (Van de Kamp - Nay) to deny the appeal of Edward R. Thomas, a Deputy Sheriff with the Sacramento County Sheriff's Department, requesting the award of an Intermediate Certificate with eligibility based in part on experience gained while serving as a Level I Reserve part-time employee.

MOTION - Van de Kamp, second - Grande, motion carried (Noes - Hicks, Dyer) to direct staff to study the allowance of actual time worked, whether it is full time or not; to determine what problems would be caused to agencies and to POST by accepting actual experience in less than full-time categories toward awarding of certificates.

There was consensus that the report or progress report be presented at the October 1985 meeting.

ADMINISTRATIVE SERVICES

E. Public Hearing Set for July 25, 1985 on Allowing Reimbursement for Retraining After a Three-Year Break in Service (Regulation 1015)

Recent Commission action effective January 1985, requires peace officers with a three-year or longer break in service to be retrained in the Basic Course, or be retested for proficiency and currency. When the testing process is used, unsuccessful candidates are required to reattend the Basic Course. Reimbursement for course reattendance is not allowable unless approval by the Executive Director prior to the beginning of the course is sought and obtained as an exception to existing regulations.

MOTION - Wilson, second - Pantaleoni, carried unanimously to approve a public hearing for the July 1985 Commission meeting regarding the modification of Commission Regulation 1015 so as to provide reimbursement for Basic Course reattendance by officers with a three-year or longer break in service.

TRAINING PROGRAM SERVICES

F. Conditional Recognition of Standards and Training for Corrections (STC) In-Service Training and the Commission's Continuing Professional Training Requirement Approved

POST recognition of certain STC certified training would permit those officers assigned full-time to jail/correctional duties to meet POST's Continuing Professional Training Requirement as an "alternative method of compliance" authorized by POST Regulation 1005(d), by satisfying either STC's Annual Training Requirement of 24 hours every year or POST's Continuing Professional Training Requirement. This would result in a savings of personnel time and training costs.

MOTION - Hicks, second - Wasserman, carried unanimously that pursuant to POST's Continuing Professional Training Requirement (Commission Regulation 1005(d)), to approve an "Alternative Method of Compliance" that authorizes officers and first-line supervisors while assigned full-time to jail/correctional duties to satisfy the POST requirement by satisfying either STC's Certified Annual In-Service Training Requirement or POST's Continuing Professional Training Requirement effective July 1, 1985.

G. Basic Course Curriculum Changes Adopted

Since December 1984, POST has conducted five seminars regarding the Basic Course curriculum topics of Criminal Law, Evidence, and Patrol Procedures. These seminars resulted in the following recommendations: delete three Criminal Law performance objectives and add one new performance objective; delete one performance objective in Evidence; and delete three performance objectives and add three new performance objectives to Patrol Procedures. It was also recommended that the success criteria of 10 performance objectives be increased.

MOTION - Block, second - Montenegro, carried unanimously to approve the Basic Course curriculum changes to Functional Area 3.0 (Criminal Law), 4.0 (Evidence) and 8.0 (Patrol Procedures).

H. Pilot Basic Course "Feeder" System in the San Diego Area Approved

In 1981, the Commission approved a pilot course certification that permitted the Golden West Regional Criminal Justice Training Center to present the extended format Basic Course in two parts. Golden West Regional Criminal Justice Training Center, Fullerton College and Saddleback College would each present the first half (Part I) of the Basic Course (340 hours) sufficient to meet the Level I Reserve classroom training requirement. After completion of this part, graduates could enter the Golden West Regional Criminal Justice Training Center for completion of the second half (Part II) of the Extended Format Basic Course, Parts I & II. Upon completion of Part II, a person would be deemed to have successfully completed the full Basic Course.

Currently Southwestern has a certified extended format Basic Course which serves the San Diego Region. Southwestern and Grossmont College have jointly requested certification to pilot test the feeder system concept with Grossmont College offering the Part I course and Southwestern offering both the Part I and Part II courses.

MOTION - Hicks, second - Block, carried unanimously to approve Golden West's request to continue the feeder system program and allow Southwestern and Grossmont Colleges to pilot test the Basic Course feeder system with a staff evaluation report to the Commission after an appropriate period of time in 1986.

EXECUTIVE OFFICE

I. Salary Reimbursement Rate Adjusted Upward

At its January 1985 meeting, the Commission created a two-tier salary rate system by increasing the salary rate for qualifying courses other than the Basic Course to 70% and establishing a baseline of 60% salary reimbursement for the 520-hour Basic Course.

An evaluation of the remaining unbudgeted monies and anticipated training demands for the balance of the fiscal year indicate that sufficient funds are available to increase the salary reimbursement rates for the Basic and other salary eligible courses.

MOTION - Wasserman, second Wilson, carried unanimously (roll call vote) to increase the salary reimbursement for the Basic Course to 65% and other qualifying courses to 80% retroactive to the beginning of this fiscal year.

J. Authorization Given to Develop an RFP for Computer/Video P.C. 832 Training

From various reviews and studies, one area has emerged as having great potential for the application of computer/video technology to POST-certified training courses -- development of a computer assisted instruction, video interactive (CAIVI) Arrest/Firearms (PC 832) Course. A CAIVI approach was described in the report as significantly improving delivery capability, potentially reducing costs, improving quality, and providing ancillary benefits in several areas including basic course remediation.

The report proposed a contract not to exceed \$20,000 for development of an RFP. The RFP would lead to identification of a vendor before the October meeting, at which time vendor selection and software development contract amount could be submitted for Commission approval.

MOTION - Ussery, second - Naghakian, carried unanimously (roll call vote) to approve the development of a pilot computer-assisted instruction with video interaction (CAIVI) program for P.C. 832 course training and to authorize the Executive Director to negotiate and sign a contract for RFP development in an amount not to exceed \$20,000.

K. Computer System Feasibility Study BCP Approved, RFP Authorized

To move toward a more flexible, useable and service-oriented data processing system, the Commission previously approved a \$50,000 budget change proposal (BCP) that was submitted for F.Y. 1985/86 to fund a feasibility study of POST's current and future inhouse and field computer service needs. It has since been found that the Commission's Four Phase hardware (lease expires July 1986) is at capacity, cumbersome, inflexible and will not accommodate projected requirements.

The Department of Finance has recognized POST's hardware/software needs and has agreed to increase the amount of the BCP from \$50,000 to \$110,000. The Budget Committee recommends approval of the BCP and that the Executive Director be authorized to award contracts for the study upon the return of the RFP's and subject to final review by the Budget Committee on behalf of the Commission.

When the preliminary study report is submitted in September, 1985, the Commission will have a carefully designed information system plan along with appropriate hardware and software specifications and cost estimates upon which to base a BCP for F.Y. 1986/87.

MOTION - Block, second - Montenegro, carried unanimously (roll call vote), to approve the recommended BCP increase from \$50,000 to \$110,000 and to authorize the Executive Director to invite responses to the RFP and to sign appropriate contract documents for this feasibility study pursuant to the Contract Committee's review and approval.

COMMITTEE REPORTS

L. Contracts and Contract Amendments Approved

Commissioner Ussery, Chairman of the Contracts Committee, reported that the Contracts Committee had reviewed the contracts for F.Y. 1985/86 and recommended approval.

MOTION - Ussery, second - Maghakian, carried unanimously (roll call vote, Vernon abstaining, Van de Kamp abstaining on No.3), for approval of the following contracts and contract amendments and to authorize the Executive Director to sign them on behalf of the Commission:

1. An Interagency Agreement with the State Controller for auditing services for F.Y. 1985/86 in an amount not to exceed \$80,000.
2. A contract with Cooperative Personnel Services to administer the Basic Course Proficiency Examination for F.Y. 1985/86 in an amount not to exceed \$33,000.
3. A contract with the Department of Justice for update, printing and mailing support for the Attorney General's California Peace Officer's Legal Sourcebook, in an amount not to exceed \$65,000.
4. A contract with the San Diego Regional Training Center for Executive Leadership Training:

Part I - Cost of the Command College and other Executive Development training for 1985/86 in an amount not to exceed \$351,137.

Part II - An amendment to increase the present contract from \$200,057 to \$277,553, amounting to \$77,496.

5. Management Course Contracts with five presenters as follows:

<u>Presenter</u>	<u>Presentations</u>	
CSU - Humoldt	5	\$ 55,075
CSU - Long Beach	5	57,335
CSU - Northridge	3	35,181
CSU - San Jose	4	44,384
San Diego Regional Trng. Center	5	62,555

6. A contract with California State Polytechnic University, Pomona, for five presentations of the Executive Development Course in an amount not to exceed \$59,285.
7. An Interagency Agreement with the Department of Justice Training Center to provide training in their subject areas of expertise in an amount not to exceed \$687,151.
8. Contracts with the State's Teale Data Center:
- a. Augmentation by \$25,000, making the total cost of the current contract for this fiscal year \$57,000.
 - b. 1985/86 annual contract in an amount not to exceed \$50,000.
9. A contract with Four Phase Systems, Inc., Computer Service for the lease of the Commission's current hardware for F.Y. 1985/86 in an amount not to exceed \$83,000.

M. Long Range Planning Committee Report Received

Robert Vernon, Chairman of the Long Range Planning Committee, reported on the Committee's meeting of March 11, 1985. The Committee discussed the following issues:

1. Goals for 1985 and Beyond
2. Advanced Officer Training
3. Limited Function Peace Officers
4. Training and Certificate Requirements for Deputy Marshals and District Attorney Investigators

Chairman Vernon stated that the Committee was not prepared to make a proposal to the Commission on the Deputy Marshals and District Attorney Investigators training and certificates requirements at this time. He also commended staff on the POST Charts that the Committee reviewed and which had been made available to each Commissioner.

N. Legislative Committee Report Approved

Robert Vernon, Chairman of the Legislative Committee, reported the Committee had met just prior to this general session and recommended the following on current legislation:

MOTION - Vernon, second - Wasserman, carried unanimously to adopt the Committees' position recommendation on the following bills:

SB 21	First Aid/CPR Training for Marshals	Neutral
SB 159	Wiretap Training	Support trng.
SB 345	Basic Certificate for Sheriffs	Further study
AB 453	Peace Officer Mental Requirements	Neutral
SB 535	Domestic Violence Cleanup Bill	Neutral
SB 757	Child Abuse Training	Neutral
AB 913	School Police Peace Officer Powers	Further study
SB 1306	Child Abuse Guidelines, Training and Certification	Neutral
SB 1374	CHP Training Fund	Neutral
SB 1379	POST Commission Membership	Oppose
AB 1844	Community Crime Resistance Funding	Neutral
AB 1988	Sexual Assault Investigation Guidelines	Neutral
Ab 2187	Guidelines/Training Re: Lockouts	Neutral
AB 2191	Stun Gun Training	Neutral
AB 2513	Child Abuse/Neglect Investigation Guidelines	Neutral
SCR 34	Assessment Fund Study	Further Study

O. Driver Training Committee Report Adopted

Commissioner Ussery, Chairman of the Driver Training Committee, reported on the Committee's meeting of March 11, 1985 at which time law enforcement driver training needs were reviewed, the Commission's current approaches and future directions, as well as driver training tuition policies.

It was reported that the Commission had approved an Office of Traffic Safety (OTS) grant and budget change proposal to study driver training delivery statewide. The Commission has identified driver training as a top priority to be addressed. The Long Range Planning Committee will be suggesting a five-year plan for driver training. The Driver Training Committee will assist staff regarding policy-level matters during the study period.

The Committee also reviewed the Commission's policy to require tuition justification and approval prior to tuition adjustments. It was recommended that the Commission not consider making capital outlay or other commitments with agencies or academies for driver training until the study is completed and an overall plan and policy has been approved by the Commission.

MOTION - Ussery, second - Hicks, carried unanimously that the recommendations in the report of the Driver Training Committee be adopted.

Chairman Vernon extended the term of the Ad Hoc Driver Training Committee for at least the course of the study.

P. Advisory Committee Report

Mike Sadleir, Vice-Chairman of the Advisory Committee, reported on the meeting of April 24, 1985. There was discussion on the POST staff study of civilianization, and a "draft" survey was distributed to the committee members. The survey requests information regarding the number of civilians, rank, kinds of positions in which civilians are used and related training needs. Commissioner Block suggested that in future discussions of civilianization, they should also include privatization (contracting out many functions now performed by law enforcement).

Sadleir stated that the Advisory Committee would like to work more with the Commission by being assigned some projects. Following discussion, there was Commissioners' consensus that the Advisory Committee should be asked to work on two projects for study and input to the Commission: 1) a study of privatization of law enforcement services; and 2) review of the staff study on problems related to the recognition of experience other than full-time experience for certification requirements for peace officers. The Chairman stated the Long Range Planning Committee would, from time-to-time, assign to the Advisory Committee some of the issues the Long Range Planning Committee is considering.

Sadleir reported on the recent Garcia vs. San Antonio Metropolitan Transit Authority Supreme Court decision regarding the Fair Labor Standards Act. The decision ends exemption of peace officers from being paid overtime with time and a half. The decision may fiscally impact many agencies, e.g., those with department-run academies that train recruits more than 40 hours a week. From what Chief Bill Oliver reported to other Advisory Committee members, the CHP may have to revamp their academy program to avoid paying overtime to cadets.

MOTION - Van de Kamp, second - Wilson, carried unanimously that POST submit a list of questions to the Attorney General's Office regarding the Supreme Court Garcia decision.

Q. Old/New Business

- o The Executive Director reported seeing the film, "It Shouldn't Hurt To Be a Kid", presented by the Attorney General's Commission on the Enforcement of Child Abuse Laws. He suggested that it be made available to law enforcement as it is an excellent production. The Attorney General stated that he would be pleased to make copies of the film available.
- o Following discussion, there was consensus that there will be a Commissioners' Column, written by the Chairman, in each publication of POST's Pacesetter Newsletter.

R. Vernon Elected Commission Chairman; Wilson, Vice-Chairman

Commissioner Grande, Chairman of the Nominating Committee, reported that in view of the fact that Commissioners Vernon and Wilson had not had a full year's service and are filling unexpired terms, the Committee would like to place in nomination Commissioner Robert Vernon as Chairman and Gale Wilson as Vice-Chairman; both terms running through the April 1986 Commission meeting.

MOTION - Grande, second - Dyer, carried unanimously.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

July 25, 1985, Bahia Hotel, San Diego (Joint meeting with Advisory Committee)
October 24, 1985, Bay Area, Hyatt Hotel, Oakland Airport
January 23, 1986, Bahia Hotel, San Diego
April 24, 1986, Sacramento Hilton, Sacramento

ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned at 1300 hours.


Imogene Kauffman
Executive Secretary

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Course Certification/Decertification Report		Meeting Date July 25, 1985
Bureau Training Delivery Services	Reviewed By Darrell L. Stewart <i>DA</i> Chief	Researched By <i>RSF</i> Rachel S. Fuentes
Executive Director Approval <i>Norman C. Beeline</i>	Date of Approval 7-2-85	Date of Report July 1, 1985
Purpose: <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

The following courses have been certified or decertified since the April 25, 1985 Commission meeting:

CERTIFIED

Course Title	Presenter	Course Category	Reimbursement Plan	Annual Fiscal Impact
1. Reserve Training, Module C	Tulare-Kings Peace Officer Academy	Reserve Training	N/A	-0-
2. Airborne Ops Grnd. Ofr. Trng. Course	San Bernardino Co. Sheriff's Dept.	Technical	III	\$ 6,770
3. Human Relations and Subcultures	Chapman College	Technical	III	20,707
4. Legal Update Course	Rio Hondo College	Technical	IV	10,368
5. Advanced Officer Course (FTC)	Riverside County Sheriff's Dept.	AO	II	6,464
6. Supervisory Seminar	Santa Clara Valley CJTC	Supv. Sem.	IV	13,884
7. Card Room Inv.	DOJ Training Center	Technical	N/A - pilot	-0-
8. Background Inv. Update	NCCJTES - Santa Rosa Center	Technical	IV	960
9. Interview & Inter-rogation Course	Kern County RCJTC	Technical	IV	10,692
10. Traffic Accident Inv.-Skidmark Analysis	Academy of Justice Riverside City College	Technical	IV	12,420
11. Officer Safety	State Center Peace Officer Academy	Technical	IV	2,938

CERTIFIED - Continued

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
12.	Deputy Coroners Course	Stanislaus Co. SO	Technical	III	66,000
13.	Laser Firearms Training	Los Angeles County Sheriff's Dept.	Technical	III	265,356
14.	Child Abuse	NCCJTES, Butte Center	Technical	IV	2,100
15.	Assertive Management	Marin Consulting Associates	Mgmt. Trng.	III	28,664
16.	Executive Update Seminar	NCCJTES, Los Medanos College	Exec. Trng.	IV	7,320
17.	Narcotics Inv. Sinsemilla Aerial Eradication	U.S. DEA, San Francisco	Technical	IV	6,686
18.	Bloodstain Pattern Analysis	NCCJTES, Sacramento Center	Technical	IV	10,800
19.	Jail Sec. for Rec Clerks/Matrons	Orange Co. Sheriff-Coroner Dept.	Technical	IV	3,645
20.	Marijuana Aerial Eradication	U. S. DEA, Los Angeles	Technical	IV	3,000
21.	Defensive Tactics, Advanced	FBI, Los Angeles	Technical	IV	11,997
22.	Reserve Training Module A & B	Los Angeles Co. Sheriff's Dept.	Reserve Training	N/A	-0-
23.	Fitness Advisor	FBI, Sacramento	Technical	II	6,300
24.	Basic Recruit (Intensive Format)	Sacramento Co. Sheriff's Dept.	Basic	II	156,000
25.	Drug I.D. for Patrol Officers	U.S. DEA, Los Angeles	Technical	IV	7,776

DECERTIFIED

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
1.	Intro to Computers in Law Enforcement	CSU, San Jose	Technical	III	-0-
2.	In-Service Driver Training	Santa Clara Valley CJTC	Technical	IV	-0-
3.	People Mgmt/Supv Seminar	Advanced Management	Supv. Sem.	III	-0-
4.	Basic Course - Extended Format	San Diego Co. RLETC	Basic	N/A	-0-
5.	Advanced Officer	Saddleback College	A0	II	-0-
6.	Advanced Officer	Santa Barbara City College	A0	II	-0-
7.	Assertive Management	Southwest Regional Training Center	Mgmt. Trng.	III	-0-
8.	In-Service Driver Training	Los Angeles P. D.	Technical	IV	-0-
9.	Desk Personnel School	Los Angeles P. D.	Technical	II	-0-
10.	Dispute & Crisis Management	Los Angeles P. D.	Technical	IV	-0-
11.	Narc Invest., Sinsemilla	DOJ Training	Technical	IV	-0-
12.	Organization & Dir of a Rescue	Columbia Junior College	Technical	IV	-0-
13.	Field Training Officer	State Center Reg. Trng Facility	Technical	II	-0-
14.	Homicide Inv.	Rio Hondo RTC	Technical	II	-0-
15.	Defensive Tactics Instructor	William Penn Mott Jr. Trng Center	Technical	IV	-0-

DECERTIFIED - Continued

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
16.	Firearms Instructors	William Penn Mott Jr. Trng Center	Technical	IV	-0-
17.	Reserve Training Module A	Los Angeles County Sheriff's Dept.	Reserve Training	N/A	-0-
18.	Crowd Mgmt & Cntrl-Instructor	San Francisco Police Department	Technical	IV	-0-
19.	Crowd Mgmt & Cntrl Command Off	San Francisco Police Department	Technical	IV	-0-
20.	Crime Prv, Adv: Commercial Media	NCCJTES, Sacramento Center	Technical	IV	-0-
21.	Burglary Inv.	NCCJTES, Sacramento Center	Technical	II	-0-
22.	Criminal Inv.	NCCJTES, Sacramento Center	Technical	II	-0-
23.	Defensive Tactics	NCCJTES, Sacramento Center	Technical	IV	-0-
24.	Advanced Officer	FBI, Los Angeles	A0	II	-0-
25.	Computer Systems for L.E.	CSU, Long Beach	Technical	III	-0-
26.	Management Update Seminar	San Diego RTC	Mgmt. Trng.	III	-0-
27.	Disaster Management Training	San Diego RTC	Mgmt. Trng.	III	-0-

TOTAL CERTIFIED 25


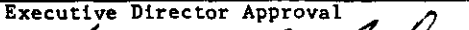
TOTAL DECERTIFIED 27

TOTAL MODIFICATIONS 42

705 courses certified as of 7/01/85
148 presenters certified as of 7/01/85

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date	
Department of Health - Food and Drug Branch		July 25, 1985	
Bureau	Reviewed By	Researched By	
Compliance and Certificates		George Fox	
Executive Director Approval	Date of Approval	Date of Report	
	6-17-85	May 31, 1985	
Purpose:			
<input type="checkbox"/> Decision Requested	<input type="checkbox"/> Information Only	<input type="checkbox"/> Status Report	<input type="checkbox"/> Financial Impact
			<input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

The Department of Health Services, Food and Drug Branch Investigations Unit, requested entry into the POST Specialized Program.

BACKGROUND

The provisions of Section 830.3 (g) Penal Code describes the Food and Drug Investigators as peace officers. The Department of Health Services, Food and Drug Branch Chief furnished a Letter of Intent, dated March 16, 1983, declaring acceptance of and support for POST objectives and regulations.

ANALYSIS

The Food and Drug Branch employs seventy-four sworn investigators. Adequate selection and background standards have been employed.

RECOMMENDATION

The Commission be advised that the California Department of Health Services, Food and Drug Branch Investigators have been admitted into the POST Specialized Program consistent with Commission policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT			
Agenda Item Title California Office of Emergency Services		Meeting Date July 25, 1985	
Bureau Compliance and Certificates	Reviewed By <i>[Signature]</i>	Researched By George Fox <i>[Signature]</i>	
Executive Director Approval <i>[Signature]</i>	Date of Approval 6-17-85	Date of Report May 31, 1985	
Purpose: <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input checked="" type="checkbox"/> No			
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.			
<p><u>ISSUE</u></p> <p>The California Office of Emergency Services has requested entry into the POST Specialized Program.</p> <p><u>BACKGROUND</u></p> <p>The provision of Section 830.3 (p) Penal Code describes the Chief and Coordinators of the Office of Emergency Services as peace officers. The agency furnished a Letter of Intent on April 9, 1984 disclosing adherence to POST Selection and Training Standards.</p> <p><u>ANALYSIS</u></p> <p>The agency employs five sworn members. Adequate selection and background standards have been met.</p> <p><u>RECOMMENDATION</u></p> <p>The Commission be advised that the Chief and Coordinators of the Office of Emergency Services have been admitted into the POST Specialized Program consistent with Commission Policy.</p>			

COMMISSION AGENDA ITEM REPORT

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Should officers other than Full-Time Regular Officers be granted credit for experience for the purpose of award of professional certificates if they otherwise become eligible.

At the April 1985 Commission meeting, staff was directed to examine the issue of experience gained by officers other than regular full-time officers and provide a preliminary report in July 1985, with a final report in October 1985.

At the April Commission meeting, the Commission denied an appeal by a Sacramento County deputy sheriff who had served as a reserve deputy (830.6 P.C.) while assigned as a provisional 3/4 time deputy for a period of four years and nine months and wished to use that experience after becoming a regular full-time deputy sheriff for the purpose of obtaining an Intermediate Certificate.

The Commission, historically, has recognized only that experience gained as a full-time regular officer for the purpose of the award of professional certificates to individuals employed by agencies in the regular program.

This report considers the potential recognition of varying experience gained by individuals serving in several categories of part-time paid and non-paid positions in which peace officer authority is gained through 830.1 and 830.6 of the Penal Code.

POST Regular Professional Certificates are awarded only to full-time regular officers employed by agencies in the POST Regular Program.

Full-Time Employment is defined in Commission Regulation 1001(1) as follows:

POST 1-187 (Rev. 7/82)

and, the employee is entitled to Public Safety Worker's Compensation and retirement provisions as are other full-time peace officer employees of the department.

A-Regular Officer is defined in Commission Regulation 1001(t) as follows:

"Regular Officer" is a sheriff, undersheriff, or deputy sheriff, regularly employed and paid as such, of a county, a police officer of a city, a police officer of a district authorized by statute to maintain a police department, a police officer of a department or district enumerated in Penal Code Section 13507, or a peace officer member of the California Highway Patrol.

Type of Experience

The current problem requiring evaluation was brought about by a question of equity in determining if "provisional" or part-time paid experience of a reserve deputy sheriff appointed under the authority of 830.6 P.C. was equal to a regular deputy sheriff appointed under the authority of 830.1 P.C. With the vast differences in potential experiences and associated training of various levels of part-time and reserve officers, equity from all points of view is virtually impossible.

In evaluating the "Experience" of peace officers for the purpose of recognizing time served, the potential for argument is endless. One may argue that the Level I reserve officer, while his training in a classroom setting requires only 200 hours, performs exactly the same function while riding alone on patrol as a regular officer who has successfully completed a Basic Course with a minimum of 520 hours to become qualified.

The Level II reserve officer needs only 80 hours of training to ride on patrol with a regular officer, while two regular officers may ride together gaining exactly the same experience.

It is entirely possible that the four categories of reserve officers: Designated Level I and Non-Designated Level I, Level II, and Level III may be assigned exactly the same duties, thereby gaining the same experience with vastly different training while in either paid or non-paid status.

It is also possible that part-time, limited term, provisional, and officers hired under contract may be undergoing exactly the same experiences as the above-mentioned persons.

The concept of experience is further complicated by the fact that some regular peace officer jobs are being performed not only by reserves and part-time officers but also by non-sworn employees.

Agencies currently have the ability to assign a full-time officer, appointed under the authority of Penal Code Section 830.1, to any task due to training which qualifies the officer legally to perform the tasks associated with the prevention and detection of crime and the general enforcement of criminal laws.

Other officers appointed under Penal Code Section 830.6 as Reserves, however, may be assigned only in accordance with what their training will allow. Such training and assignment levels restrict assignments, levels of supervision, and the carrying and use of weapons. Such assignments necessarily restrict the experience they may gain, although some officers may at any time be assigned to tasks that require less training and supervision.

Calculation of Experience

Provisions of the Commission's certificate program do not provide for evaluation of the type of experience. Certificates are awarded based upon tenure as a regular officer. That experience is acceptable without regard to the type of work being performed over the period of time in question. Unless the certificate program is significantly changed, the issue of type of experience is not a relevant consideration.

All full-time officers gain experience on the basis of a chronological year of employment, regardless of their status or assignment. If an officer, during a year, is off due to illness, injury, vacation, military leave, or any other condition that allows continued compensation, he gains one year of experience. Conversely, if, during that same year, he works a considerable amount of overtime, he does not gain credit for time beyond the one year. Further, the officer may gain the experience performing any police or non-police task.

Current Commission Procedures establishing minimum requirements for the award of professional certificates identify experience only on an annual basis. They provide for the award of a Basic Certificate following the conclusion of twelve months experience, the Intermediate Certificate with a minimum of two years experience, and the Advanced Certificate after gaining a minimum of four years experience. The Supervisory and Management Certificates are issued following a minimum of two years service as a first-line supervisor and middle manager respectively. The Executive Certificate is issued following two years experience as the chief executive of an agency in the POST Program. All of the above professional certificates require, in addition to the specified experience, particular education, training, and in some cases, the award or eligibility for the award of a lower certificate.

Considering "experience" of any officer on other than an annual full-time basis appears to require a drastic departure which would involve computation on an hourly basis in order to fairly accommodate all officers that may be involved. The staff requirements and costs involved in these calculations by local governments and POST are beyond the capability of POST to estimate with any degree of accuracy.

Summary

Limited inquiries to agencies undergoing recent compliance inspections disclose a large variation of how reserve and part-time officers are assigned and whether they are compensated.

There is no clear separation of duties and resulting experience of various types of officers throughout the state, except that full-time regular officers as defined by POST are definitely set apart from all the others.

To alter the nature of the Professional Certificate Program to recognize experience of the multitude of officers, other than full-time officers, paid and unpaid, on an hourly basis, would add unknown costs to local government and POST. Such a new process would likely generate greater concern for equity than does the current process.

The above conclusions are the result of preliminary study. As directed by the Commission, this report and its conclusions will be reviewed with the Advisory Committee. That review may reveal a basis for further study.

7622B
7-02-85

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Public Hearing - Amendment of Regulation to Provide Reimbursement for Required Basic Course Retraining		Meeting Date July 25, 1985
Bureau Administrative Services	Reviewed By <i>Otto H. Saltenberger</i>	Researched By
Executive Director Approval <i>Morgan C. Boehm</i>	Date of Approval 7-3-85	Date of Report 6/14/85
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No		

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission approve an ammendment of existing regulations to provide reimbursement for required Basic Course retraining?

BACKGROUND

Commission Regulation 1015 currently provides that training expenses may be claimed only once with the exception of certain courses which are designed for repeat attendance. Special circumstances that warrant repeat reimbursement must be approved by the Executive Director prior to beginning the training course in order for reimbursement to be granted.

Recent Commission action effective January 1, 1985, requires peace officers with a three-year or longer break in service to be retrained in the Basic Course, or be retested for proficiency and currency. When the testing process is used, unsuccessful candidates are required to reattend a basic course. Since in most instances these candidates have previously attended the Basic Course and their jurisdictions were reimbursed, payment for course reattendance is not allowable unless approval by the Executive Director prior to the beginning of the course is sought and obtained as an exception to existing regulations.

At its regular meeting on April 25th, the Commission scheduled a public hearing for this July 25, 1985 meeting. POST Bulletin 85-9, Attachment A, announces the Public Hearing and specifies proposed change to allow reimbursement for required Basic Course retraining.


ANALYSIS

The rationale for establishing the retraining/testing process (Regulation 1008 effective January 1, 1985), is to assure peace officer competence and proficiency when a former officer has a three-year or longer break in service whether or not he/she qualified for a POST certificate. Since the Commission now requires retraining in these instances, it is desirable that the Commission establish a policy whereby qualified jurisdictions can be reimbursed for such retraining without seeking advanced approval.

RECOMMENDATION

Subject to input at the public hearing approve the amendment of Regulation 1015 to provide reimbursement for required Basic Course reattendance by officers with a three-year or longer break in service.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING



4949 BROADWAY
P. O. BOX 20146
SACRAMENTO 95820-0146

May 31, 1985

BULLETIN: 85-9

SUBJECT: PUBLIC HEARING: AMENDMENT OF REGULATION TO PROVIDE
REIMBURSEMENT FOR REQUIRED BASIC
COURSE RETRAINING

A public hearing has been scheduled in conjunction with the July 25, 1985, Commission Meeting in San Diego for the purpose of considering a proposal to amend POST regulations to provide for reimbursement for Basic Course retraining.

Recent Commission action requires peace officers with a three year or longer break in service to be retrained in the Basic Course, or they must requalify through evaluation and testing for proficiency and currency. When the testing process is used, candidates who fail the test are required to be retrained in the Basic Course.

Usually these individuals have previously attended the Basic Course, and their jurisdictions were reimbursed. Reimbursement for such repeated training is not allowed unless approval by the Executive Director prior to the beginning of the course is sought and obtained as an exception to existing regulations. The Commission proposes to change reimbursement regulations to expressly provide for reimbursement for retraining in the Basic Course when there has been a three year or longer break in service.

The attached Notice of Public Hearing, required by the Administrative Procedures Act, provides details concerning the proposed Regulation change and provides information regarding the hearing process. Inquiries concerning the proposed action may be directed to Georgia Pinola at (916) 739-5400.



NORMAN C. BOEHM
Executive Director

Attachment

Commission on Peace Officer Standards and Training

NOTICE OF PUBLIC HEARING
AMENDMENT OF REGULATION TO PROVIDE REIMBURSEMENT FOR
REQUIRED BASIC COURSE RETRAINING

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested in Section 13506 of the Penal Code to interpret and make specific Sections 13503, 13506, 13510, 13511, 13512, 13516, 13518, 13520, 13521, 13522, 13523, and 13524 of the Penal Code, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Administrative Code. A public hearing to adopt the proposed amendments will be held before the Commission on:

Date: Thursday, July 25, 1985
Time: 10:00 a.m.
Place: Bahia Hotel
San Diego, California

INFORMATIVE DIGEST

Existing Commission Regulation 1015 provides for reimbursement to participating cities, counties and districts for certified course attendance. Subsection (c) provides that training expenses for many training courses may be claimed only once, and that special circumstances that necessitate retraining must be approved by the Executive Director prior to beginning the training course in order for reimbursement to be granted.

The proposed addition of new subsection (h) would allow for reimbursement to a Regular Program jurisdiction for a Basic Course trainee when retraining is necessary due to a three year or longer break in service and retraining is required. Existing subsections (a) through (g) are unchanged. Existing subsection (h) is renumbered (i) with no change.

The proposed amendment to existing regulation will simplify existing administrative procedures and expedite reimbursement to qualified eligible, local jurisdictions.

ADOPTION OF PROPOSED REGULATIONS

After the hearing, the Commission may adopt the proposal substantially as described, if approved, or may modify such proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before adoption, the text of any modified language will be made available to the public at least 15 days before adoption. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified language for 15 days after the date on which the revised text is made available.

FISCAL IMPACT

The Commission has determined that no savings or increased costs to any state agency, no costs or savings under Section 2231 of the Revenue and Taxation Code to local agencies or school districts, no other non-discretionary costs or savings imposed on local agencies, and no costs or savings in federal funding to the state will result from the proposed changes. The Commission has also determined that the proposed changes do not impose a mandate on local agencies or school districts and will involve no significant cost to private individuals and businesses.

The proposed regulations will have no effect on housing costs.

The proposed regulations will have no adverse economic impact on small businesses.

INFORMATION REQUESTS

Notice is hereby given that any interested person may present statements or arguments in writing relevant to the action proposed. Written comments must be received by the Commission on Peace Officer Standards and Training, P.O. Box 20145, Sacramento, CA 95820-0145, no later than July 15, 1985.

Notice is also hereby given that any interested person may present oral statements or arguments relevant to the action proposed during the Public Hearing, Thursday, July 25, 1985.

A copy of the Statement of Reasons and exact language of the proposed regulations may be obtained at the hearing or prior to the hearing upon request by writing to the Commission at the above address. This address is also the location of public records, including reports, documentation, and other materials related to the proposed action.

Inquiries concerning the proposed action may be directed to Georgia Pinola at (916) 739-5400.

Commission on Peace Officer Standards and Training

PUBLIC HEARING: AMENDMENT OF REGULATION TO PROVIDE
REIMBURSEMENT FOR REQUIRED BASIC
COURSE RETRAINING

PROPOSED LANGUAGE

1015. Reimbursements

- (h) When a Regular Program trainee has attended a POST-certified basic course for which reimbursement has been provided, an employing jurisdiction may receive reimbursement for subsequent attendance of a POST-certified basic training course by the same trainee who has a three-year or longer break in service as a peace officer and must be retrained (1008(b)).
- {h) (i) Reimbursement for partial completion of a certified Motorcycle Training Course or instructor training courses may be provided if the trainee fails to complete the course due to an inability to perform the skills required for successful completion.

Commission on Peace Officer Standards and Training

PUBLIC HEARING: AMENDMENT OF REGULATION TO PROVIDE
REIMBURSEMENT FOR REQUIRED BASIC
COURSE RETRAINING

STATEMENT OF REASONS

Recent Commission action requires peace officers with a three year or longer break in service to be retrained in the Basic Course, or be retested for proficiency and currency. The reason for establishing the retraining/testing process (Regulation 1008, effective January 1, 1985) is, without regard to whether the individual has been awarded a POST certificate, to ensure peace officer competence and proficiency when a former officer has a significant break in service. When the testing process is used, candidates who fail the test are required to be retrained in the Basic Course.

Usually these individuals have previously attended the Basic Course, and their jurisdictions were reimbursed. Reimbursement for repeated training is not allowed unless approval by the Executive Director prior to the beginning of the course is sought and obtained as an exception to existing regulations. Because these requests are not refused and there is no indispensable purpose or advantage in continuing the existing procedure, the Commission proposes to make the described changes in reimbursement procedure.

The Commission is concerned that its retraining provision will place an undue hardship on jurisdictions if they are required to continue to seek prior approval on an individual basis to be eligible for reimbursement in these circumstances. The elimination of such a requirement will simplify the inter-agency administrative process and reduce the time in which reimbursement can be provided. The Commission desires to establish a procedure whereby jurisdictions can be reimbursed for such retraining without seeking prior approval.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title REPORT ON READING/WRITING STANDARDS		Meeting Date July 25, 1985
Bureau Standards & Evaluation Services	Reviewed By	Researched By John Berner
Executive Director Approval <i>Norman C. Baker</i>	Date of Approval 7-9-85	Date of Report June 21, 1985
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No		

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE:

Status report on POST Entry-Level Reading and Writing requirement.

BACKGROUND:

POST Regulation 1002(a)(9) requires that all entry-level peace officers be able to read and write at the levels necessary to perform the job as determined by use of the POST reading and writing tests or other job-related tests of reading and writing ability. Regardless of what tests are used, each local agency establishes its own minimum passing scores. For the past two years, the POST tests have been made available free of charge to local agencies at an annual cost to POST of approximately \$100,000.

At its June 28, 1984 meeting, the Commission concurred with the staff recommendation that a one year study be conducted to evaluate further the impact of POST's current reading and writing requirement. Results of this study are presented below.

ANALYSIS:

In addition to questions of overall program impact, Commission concerns regarding the POST reading and writing standard have traditionally centered around the following two issues:

- (a) Should all agencies be required to use the POST reading and writing tests?
- (b) Should users of the POST tests be required to use a minimum passing score established by POST?

In addition, questions have been raised about the need to require persons with higher education to meet the standard, as well as the fact that the effect of the current standard is to require that only employed students pass reading and writing tests prior to admittance to a POST-certified Basic Academy.

Overall Impact of Current Reading and Writing Regulation

Three analyses were conducted to assess the overall impact of the current requirement. Table 1 shows test results on the POST reading and writing tests for applicants versus trainees for the time periods of Sept. 1, 1983 - April 30, 1984 and May 1, 1984 - December 31, 1984. The results show test scores for applicants have gone down while those for cadets have improved. With respect to the impact of reading and writing testing per se, these findings are especially encouraging in light of the fact that a greater percentage of the cadets in the 5/1/84 - 12/31/84 time period were nonaffiliated cadets who were not subjected to reading and writing screening (17% as opposed to 7.9% of the cadets during 9/1/83 - 4/30/84).

Table 1: Comparison of Scores Achieved by Job Applicants and Academy Cadets on POST Reading and Writing Tests

Date of Testing	Average Score	Percent Scoring Below Recommended Minimum
9/1/83 - 4/30/84	Applicants (N=5446) 49.4	16.4
	Cadets (N=1470) 49.9	12.8
5/1/84 - 12/31/84	Applicants (N=5821) 48.8	17.5
	Cadets (N=1326) 51.3	9.8

A further breakdown of the scores for academy cadets during the two time periods is shown in Table 2. Scores are shown for three different academy groups: affiliated students (all of whom were required to pass reading and writing tests as a condition of employment); nonaffiliated students who were screened for admittance into the academy on the basis of reading and writing tests; and nonaffiliated students who were not previously tested. Results for the affiliated students show a dramatic improvement with regard to both average test score (from 50.9 to 53.0), and percent of cadets with scores below the recommended minimum (from 10.2% to 5.5%). Comparable relative improvement is shown in the results for nonaffiliated cadets who were previously tested, although as a group, they continue to obtain test scores significantly lower than those for affiliated students. Virtually no improvement is shown for the nonaffiliated students who were not previously tested, and the differential between this group and the affiliated students has increased to the point where the percentage of persons in this group who score below the POST recommended minimum is now approximately five times that for affiliated students (24.4% versus 5.5%).

Table 2: Comparison of Scores Achieved by Affiliated and Nonaffiliated Academy Cadets on POST Reading and Writing Tests

Date of Testing	Average Score	Percent Scoring Below Recommended Minimum
9/1/83 - 4/30/84	Affiliated students (N=1085) 50.9	10.2
	Nonaffiliated students	
	previously tested (N=269) 48.2	17.5
	not previously " (N=116) 45.0	25.9
5/1/84 - 12/31/84	Affiliated students (N=891) 53.0	5.5
	Nonaffiliated students	
	previously tested (N=210) 51.1	12.4
	not previously " (N=225) 44.9	24.4

While it is not possible to draw any conclusions regarding cause and effect relationships, results for the POST Proficiency Examination (an achievement test administered by POST to all basic academy graduates) are consistent with the preceding findings. While Proficiency Examination scores have improved only slightly over the last year, with the average score going from 51.4 (N=2772) to 51.7 (N=2600), the relative percentage of students among the different cadet groups who graduated and, therefore, were eligible to take the Proficiency Exam, strongly support the utility of reading and writing testing. Specifically, among the 891 affiliated students who began basic training during the period from 5/1/84 - 12/31/84 as shown in Table 2, 762 (83.1%) graduated as indicated by taking the Proficiency Exam. This compares to a rate of 60.0% (127 of 210) for the nonaffiliated students who were previously screened for reading and writing ability, and a rate of 48.4% (109 of 225) for those nonaffiliated students who were not previously screened.

Use of POST Tests

For the 12 month period ended April 30, 1985, a total of 120 agencies used the POST tests for entry-level screening: 106 agencies in the POST Regular Program; 4 agencies in the POST Specialized Program and 10 community college affiliated basic academies. Among agencies in the POST Regular Program this represents a usage rate of 25.3%. For community college affiliated basic academies, the figures represent a 58.8% usage rate. Test usage as a function of agency size is shown in Table 3 and indicates that demand for the tests is fairly evenly dispersed across agency size categories. Overall, the usage figures are consistent with those for the previous year. The one notable exception is with regard to community college affiliated academies, where the number of academies using the POST tests has grown from 6 to 10.

Table 3: Use of POST Tests by Agencies in the POST
Regular Program (May 1, 1984 - April 30, 1985)

Agency Size	Total	Number of Agencies Using POST Tests	Percentage of Agencies Using POST Tests
1-24	90	10	11.1
25-49	102	22	21.6
50-74	57	15	26.3
75-99	42	17	40.5
100-199	60	15	25.0
200-299	29	11	37.9
300-399	10	6	60.0
400-499	7	1	14.3
500-999	12	6	50.0
Over 1,000	10	3	30.0
TOTALS	419	106	25.3

Many agencies used the tests more than once with the total number of test administrations for the 12 month period equalling 208. The total number of tests scheduled for administration was 24,419. These figures are also comparable to those for the previous year.

Cutoff Scores Used on POST Tests

It is recommended that agencies using the POST reading and writing tests establish a minimum passing point not lower than 37. The average cutoff score used by employing agencies during the period from 5/1/84 - 5/30/85 was 43.0. This score far exceeds the recommended minimum, and is consistent with the average minimum cutoff score used last year of 42.8. Those academies that used the POST tests for screening during the 5/1/84 - 5/30/85 time period used a slightly lower average minimum passing score of 40.2

Shown in Tables 4 and 5, which follow, are breakdowns of the cutoff scores used by employing agencies and academies. As indicated in Table 4, a minimum passing score of less than 37 was used two times out of a total of 166 administrations. The net effect of using lower passing scores in these two instances was to qualify 4 individuals who do not meet POST's recommended minimum.

Table 4: Cutoff Scores Used by Employing Agencies
on POST's Reading and Writing Tests
(May 1, 1984 - May 30, 1985)

Cutoff Score	Frequency	Average Cutoff: 43.0
Above 52	11 (6.6%)	
49-52	10 (6.0%)	
45-48	31 (18.7%)	
41-44	57 (34.3%)	
37-40	55 (33.1%)	
Below 37	2 (1.2%)	

As reflected in Table 5, a cutoff score of less than 37 was used in three of 37 instances by academies that used the POST tests for screening. As a result, a total of 4 individuals were admitted to basic training who failed to meet POST's recommended minimum.

Table 5: Cutoff Scores Used by Basic Academies
on POST's Reading and Writing Tests
(May 1, 1984 - May 30, 1985)

Cutoff Score	Frequency	Average Cutoff: 40.2
Above 52	1 (2.7%)	
49-52	0 (0.0%)	
45-48	6 (16.2%)	
41-44	8 (21.6%)	
37-40	19 (51.4%)	
Below 37	3 (8.1%)	

The negligible impact of the use of cutoff scores less than 37 is made even more apparent when it is realized that a total of 2127 candidates who were screened with the POST tests during the 5/1/84 - 5/30/85 time period achieved scores below 37. The 8 individuals who were accepted by those agencies and academies that used lower cutoffs represents .4% of this group.

Education and Scores Achieved on POST Tests

Performance differences on the POST tests as a function of level of education are shown in Table 6. The results are for job applicants. The data was collected from a representative group of agencies in early to late 1984, and strongly suggest that waivers to the POST reading and writing requirement should not be granted to persons with advanced education.

Table 6: Level of Education and Scores on The
POST Reading and Writing Tests

<u>Highest Level of Education</u>	<u>Test Scores</u>	
	<u>Below 37</u>	<u>Below 42.8*</u>
G.E.D. (N=94, 84)	26.6%	41.7%
High School Graduate (N=351, 313)	31.9%	45.7%
1-2 Yrs. College (N=537, 468)	14.2%	26.5%
3-4 Yrs. College (N=293, 252)	9.2%	19.8%
Over 4 Yrs. College (N=125, 104)	9.5%	17.3%
<u>Highest Degree Achieved</u>		
High School or G.E.D. (N=901, 797)	21.2%	35.8%
A.A. (N=251, 223)	12.7%	23.3%
B.A. (N=166, 128)	4.8%	6.6%

*Approximate average cutoff score used by employing agencies during this time period.

Summary and Conclusions

Overall, findings for the past year show that the current POST requirement has resulted in significant improvements in the reading and writing abilities of future officers. The data are particularly impressive with regard to individuals who were employed prior to enrollment in basic training, where the percentage of such persons with reading and writing deficiencies (as designated by achieving a combined T score of less than 37 on the POST tests) has been reduced by nearly 50 percent. It should also be noted that similar, although less dramatic overall improvements were found for 1983-84. Thus, a clear cut trend of continuing improvement is beginning to emerge.

Other conclusions which can be drawn from the data for the past year are as follows:

- (1) By far the greatest reading and writing deficiencies continue to be found among those nonaffiliated trainees who are permitted entrance into basic training without being previously screened.
- (2) With regard to the POST Reading and Writing Tests
 - (a) The number of employing agencies using the tests has not increased dramatically; however, substantially more community college affiliated basic academies are now using the tests for screening.
 - (b) With very few exceptions, agencies are continuing to voluntarily set minimum passing scores that meet or exceed the POST recommended minimum.
- (3) A significant percentage of persons with advanced education have reading and writing deficiencies as evidenced by poor performance on the POST tests. Thus, Commission action to waive the testing requirement for individuals with advanced education would appear to be unwarranted at this time.

Discussion

Given the overall positive results obtained, there would appear to be little compelling reason to change the current POST Regulation to require that all agencies use the POST reading and writing tests. The yearly cost to administer such a program could easily reach well in excess of \$500,000, and the benefits that would accrue from such a change, given the continued improvements being realized under the current requirements, would

not appear to justify such an expenditure. Furthermore, substantial changes would have to be made in the way the POST tests are administered and scored in order to accommodate the unique testing demands of some of the larger agencies.

There is also little apparent need to mandate that agencies using the POST reading and writing tests abide by a POST-mandated minimum cutoff score. The data for the past year indicate that less than half of 1 percent of those persons who scored below the POST recommended minimum were hired and/or accepted into basic training. Further, the average cutoff score used was far in excess of the POST-mandated minimum, and there is considerable concern that a POST-mandated minimum would become, in effect, a POST-mandated maximum. That is, that agencies would be reluctant to use a cutoff score that exceeded a POST-mandated minimum, for fear that such action would place the agency in an untenable position if the higher cutoff score were challenged.

The need for some action is strongly suggested by the research results for nonprescreened open enrollment academy trainees. A significant percentage of these students were found to have serious reading and writing deficiencies, and similar results were obtained for this group last year. However, the most appropriate action to take to bring about the desired changes for this group is less clear cut. For the research findings also show that: (a) this group constitutes a small percentage of all academy cadets (approximately 15%), and (b) there has been a significant increase in the number of academies that are using the POST tests to screen nonaffiliated students. Furthermore, even though the data show that fewer of these students are successful in training, and thus the training delivery system could be made more efficient by instituting prescreening, it can also be argued that POST's concerns regarding nonaffiliated students should be tempered by the fact that these students receive no POST reimbursement.

In light of all these considerations, and in the knowledge that POST has not actively encouraged academies to prescreen open enrollment students in the past, it is believed that the most prudent course of action at this time would be for POST to initiate a concerted effort to enlist the support and assistance of all academies to begin using the POST tests or other job-related reading and writing tests to prescreen open-enrollment students. Consistent with this course of action, it is further recommended that the Commission act to continue to fund agency and academy use of the POST tests for screening purposes, and that funding also be approved for continued monitoring of the overall impact of the current regulation. Total costs to continue to provide the POST tests to local jurisdictions free of charge during

FY 85/86 are not expected to exceed \$102,000. Monitoring costs would consist of those expenses associated with administering the POST tests to all academy trainees during their first week of training. As was done last year, it is proposed that this data be collected for a six month period. Total costs for this effort are not expected to exceed \$18,000. All costs would be for test administration and scoring services provided under contract to POST by Cooperative Personnel Services (a joint powers agency) and the California State Personnel Board.

RECOMMENDATIONS:

1. Authorize staff to actively work with POST-certified basic academies to seek the desired objective of ensuring that all nonaffiliated students are prescreened for reading and writing ability.
2. For purposes of continuing to encourage agencies/academies to use the POST reading and writing tests to screen job applicants/academy trainees during FY 85/86, approve the expenditure of an amount not to exceed \$102,000 for test administration and scoring services to be provided under contract by Cooperative Personnel Services and the California State Personnel Board.
3. For purposes of continuing to monitor the impact of POST's reading/writing regulation, approve the expenditure of an amount not to exceed \$18,000 for contract services from Cooperative Personnel Services to administer the POST reading and writing tests to all academy trainees for a six month period.

If the Commission concurs with these recommendations, a full progress report will be presented to the Commission at its July 1986 meeting.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Basic Course Curriculum Changes		Meeting Date July 25, 1985
Bureau Training Program Services	Reviewed By Hal Snow	Researched By Bob Spurlock
Executive Director Approval <i>Morgan C. Behn</i>	Date of Approval 6/25/85	Date of Report June 5, 1985
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact		<input type="checkbox"/> Yes (See Analysis per details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Commission approval of routine curriculum changes to the Basic Course relative to Patrol Procedures.

BACKGROUND

As part of POST's ongoing effort to maintain the Basic Course curriculum, POST staff, with the input of academy instructors who teach particular subject areas, periodically reviews and updates curriculum. Functional Area #8, Patrol Procedures, has been reviewed. Recommended changes to performance objectives have been identified and are being submitted for approval.

ANALYSIS

Major recommended changes to Functional Area #8, Patrol Procedures, include the addition of one performance objective in Missing Persons, deletion of one performance objective in Labor Disputes, deletion of one performance objective in Agency Referral, and the deletion of the learning goal and one performance objective in Mutual Aid. All deletions proposed are consistent with policy to delete curriculum that is "agency specific."

The deletion and addition of one performance objective in Unusual Occurrences is being recommended because of the need to delete instruction on radioactive materials specifically and include instead a broader objective on all hazardous materials. Specific forms and techniques for handling hazardous materials will be identified in the Basic Course Unit Guides.

It is also being recommended that the title of Learning Goal 8.39.0, Unusual Occurrences, be changed to Hazardous Occurrences to more actually reflect the topics covered within the Learning Goal.

The recommended success criteria of the two new performance objectives is 70% which is consistent with the other performance objectives within the learning goals.

These recommended changes are endorsed by the academy directors and there should be no fiscal impact or effect on the length of the Basic Course.

RECOMMENDATION

Effective October 1, 1985, approve Basic Course curriculum changes to Functional Area 8 (Patrol Procedures).

CRISIS MANAGEMENT

ATTACHMENT A

- DELETE * 8.30.2 The student will identify his/her agency's policy for the handling of labor disputes by officers.
- NEW 70% 8.17.3 The student will identify the influence of the following conditions on the nature and level of response to a report of a missing person:
- A. Weather
 - B. Environmental conditions
 - C. Missing person's knowledge of the area
 - D. Suspicious circumstances
- DELETE 8.38.0 MUTUAL AID
- Learning Goal: The student will understand the agency's mutual aid policy.
- * 8.38.1 The student will identify their his/her agency's policy(ies) on the following issues of mutual aid and jurisdiction:
- A. Using official vehicles outside the agency's primary jurisdiction-
 - B. Responding to calls for assistance outside the agency's primary jurisdiction
 - C. Assisting outside agencies in arrests within agency area
 - D. Organization and local zone of the Office of Emergency Services (OES) Mutual Aid System
 - E. Chain of command of calling for mutual aid assistance under OES Guidelines-
- DELETE 8.39.4- The student will identify the following responsibilities and considerations peculiar to handling accidents involving radioactive-materials:
- A. Request assistance, to include radiological monitoring support
 - B. Isolation and evacuation of an area at least 2,000 feet from the radioactive material
 - C. Prohibit eating, drinking, or smoking in the danger-area
 - D. Immobilize and isolate persons believed to have been contaminated-
 - E. Administer necessary emergency medical aid-
 - F. Agency policy
- NEW 70% 8.39.6 The student will identify the following responsibilities and considerations as a first responder to hazardous materials incidents:
- A. Recognition of a potential hazardous materials incident.
 - B. Prevention of contamination to officer(s) and public.
 - C. Notification to proper agencies.

Delete * 8.42.4

In order to prevent further injury, -neglect, endangering, or sexual exploitation, the student will identify his/her agency's procedure(s) in placement of a juvenile with the proper child protective services.

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

stops, and report writing. Only the most critical and easily tested skills objectives were selected so as not to have the examination costs excessively burdensome. The skills examination (Attachment D) has been pilot tested on two occasions at Golden West College in Orange County, which is one of two proposed POST Testing Centers (one North and one South). The Northern Testing Center has yet to be selected. Adding the skills component would increase testing costs to the applicant by \$200. Existing fees include \$75 for training evaluation and \$91 for the written test. It is proposed that the written test continue to be administered at convenient locations throughout the state. The current three and one-half hour written test is being updated and revised. It is anticipated that the examination will be shortened to three hours. Because the expected number of skills test candidates is unknown, there is some uncertainty about the actual costs for administering this testing process. Therefore, the POST Testing Centers would monitor their actual costs compared to fees received the first year so that subsequent adjustments could be made. It is proposed that the fee for re-testing on each specific skill area be set at \$50. Such fees would be payable directly to the POST Skills Testing Centers.

If the Commission approves of skills testing, a schedule of testing dates would be established and offered as frequently as applicant volume dictates.

The success criteria for passing various components of the skills examination have been established with input from various academy instructors and subject matter experts. The Individual Skills Checksheets have been developed to provide the maximum objectivity possible in evaluating applicants. Applicants will be provided an orientation package in advance of taking the POST Basic Course Waiver Skills Test so as to have an opportunity to prepare. In addition, a brief videotape is being prepared to demonstrate the correct procedures for each skill which will be shown prior to skills testing.

Revisions to the Written Examination--It is proposed that the revised three-hour written examination be one intact examination without modules. Currently, applicants can fail up to three modules and retrain or retest one time only. A person who fails the examination twice would have to repeat the entire Basic Course. The change will improve the overall validity of the examination, but will necessitate elimination of current options to be retested or retrained in modular areas. This proposal would also eliminate the disruption that BCWE applicants create to academies in attempting to retrain in failed modules.

Eliminate "Employed" and "Under Consideration for Hire" Prerequisites--Regulation 1008 and Procedure D-11-3 and 4 currently require that applicants must be "employed" or "under consideration for hire" before being considered eligible for the BCW process. Deletion of these prerequisites will allow the Commission the discretion to evaluate waiver applicants without a specific request from an employer. The current policy creates a hardship for applicants who find that employers will not consider them unless POST has deemed their training to be complete and current. The policy also creates administrative problems for employers. The proposed change would, if adopted, increase workload for staff. A Budget Change Proposal would be developed and submitted to the Commission's Finance Committee.

Technical Changes--It is proposed that the recently adopted guidelines for exempting persons from the three-year rule be added to Procedure D-11-13. This is proposed because the Office of Administrative Law has ruled that these guidelines, to be enforceable, must be incorporated into the regulations and be subject to public hearing. The references in D-11-4 to 400 hours, which is no longer the minimum

length of the Basic Course, should be replaced by "the current minimum required hours for the Basic Course as specified in Commission Procedure D-1." This will ensure that the hours are consistent with hourly changes as they are made to the Basic Course. It is proposed that the 30-day time lapse before reexamination be eliminated because this has created hardships for applicants and agencies. Other technical changes involve incorporating existing Commission policies into Procedure D-11.

The following is a summary of proposed changes to Commission Regulation 1008 and Procedure D-11: (See Attachments B and C for specific language changes)

1. Add provisions for the skills testing portion, including provision for one time only retest for those who fail any of the skill tests. Those who fail the skills examination twice and those who fail once and do not retake the examination within 180 days would be required to complete the entire basic course.
2. Delete references in Procedures D-11-7, 11-8, and 11-9 to failing of, and retraining in, modules because it is proposed that the revised written test under development will not contain modules.
3. Delete in Regulation 1008 and Procedures D-11-3 and 4 references to "employed," and "under consideration for hire," which would allow the Commission discretion to evaluate waiver applicants without a specific request from an employer.
4. Other Changes
 - a. Add to D-11-13 the recently Commission-approved guidelines for exempting persons from the three-year rule. See Attachment C for specific language.
 - b. Delete references in D-11-4 to 400 hours, which is no longer the minimum length of the Basic Course and substitute language referring to "the current minimum required hours for the Basic Course as specified in Commission Procedure D-1."
 - c. Delete references in D-11-8 to a 30-day time lapse before a reexamination can be taken. The 180-day maximum for reexamination will be retained to ensure closure.
 - d. Add to D-11-2 the existing policy that persons who hold a POST Basic Certificate are exempt from the evaluation of training and evaluation fees.
 - e. Add to D-11-2 the longstanding policy that fees are waived for already employed officers who were hired prior to their agency entering the POST Program.
 - f. Not part of the public hearing, approve a revised BCW fee schedule:
 - \$ 75 Evaluation (same)
 - 91 Written Test (same)
 - 200 Skills Test (new)
 - 50 Skills Retest/Module (new)

Proposed changes 1, 2, and 4 are recommended to become effective January 1, 1986. Change #3, relating to deleting "employed" and "under consideration for hire," is recommended to become effective July 1, 1986, and only if the proposed Budget Change Proposal adding one staff services analyst is approved.

RECOMMENDATION:

Approve a public hearing for the October 1985 meeting to add a skills testing component to the Basic Course Waiver Process, revise written testing procedures, delete "employed" or "under consideration for hire" prerequisites, and to make other changes to Commission Regulation 1008 and Commission Procedure D-11.

7531B
7-3-85

Place of Training, Testing in Lieu of Training

P.C. 13511

- (a) In establishing standards for training, the Commission may, so far as consistent with the purpose of this chapter, permit required training to be obtained at institutions approved by the Commission.
- (b) In those instances where persons have acquired prior equivalent peace officer training and are under consideration for hire by an agency participating in the POST program, the Commission shall, no later than July 1, 1981, and thereafter, provide the opportunity for testing in lieu of attendance at a basic training academy or accredited college. Tests shall be constructed to verify possession of minimum knowledge and skills required by the Commission as outlined in its basic course. Such tests shall be scheduled periodically in convenient locations, and an opportunity shall be provided for testing and retesting under procedural guidelines established by the Commission. The retesting procedures shall be designed so that any portion which has been previously passed need not be retaken. The Commission shall charge a fee to cover administrative costs which is sufficient to cover all the costs associated with the testing conducted under this subdivision.

Regulation 1008. Waiver of Attendance of a POST-Certified Basic Course and Basic Course Requalification Requirements

- (a) The Commission may waive attendance of a POST-certified basic course required by Section 1005(a) of the Regulations for an individual who is currently employed or under consideration for hire as a full-time California peace officer by an agency participating in the POST programs and who has completed training equivalent to a certified basic course. This waiver shall be determined by an evaluation and examination process as specified in PAM Section D-11, Waiver of Attendance of a POST-Certified Basic Course, (adopted effective January 28, 1982, and amended January 1, 1985), herein incorporated by reference.
- (b) The Commission requires that individuals who have previously completed a POST-certified basic course, or have previously been deemed to have completed equivalent training, but have a three-year or longer break in service as a peace officer must be retrained or complete the basic course waiver process (PAM Section D011), unless such retraining or examination is waived by the Commission, pursuant to guidelines established by the Commission.

These provisions apply to all individuals who seek appointment or reappointment to positions for which completion of a basic course is required elsewhere in these regulations. These provisions are applicable without regard to whether the individual has been awarded a POST certificate. The three-year rule described will be determined from the last date of employment as a California peace officer, or from the date of last completion of a basic course, or from the date of last issuance of a basic course waiver by POST, whichever date is most recent. (Effective January 1, 1985)

COMMISSION PROCEDURE D-11
Revised: ~~January 28, 1982~~
January 1, 1986

Procedure D-11 was incorporated by reference into Commission Regulation 1008, on January 28, 1982. A public hearing is required prior to revision of this directive.

WAIVER OF ATTENDANCE OF A POST-CERTIFIED BASIC COURSE

Purpose

11-1. Establishes Guidelines: This Commission procedure establishes the guidelines for determining whether or not an individual's prior law enforcement training is sufficient for a waiver of attendance of a POST-certified basic course. ~~"A POST-certified Basic Course" may be the Basic Course or the Specialized Basic Investigators Course.~~ The prescribed course of training appropriate to the individual's assignment is determined by the Commission and is specified in Section 1005 of the Regulations. The requirements of the Basic Course and Specialized Basic Investigators Course are specified in POST Administrative Manual (PAM) Section D-1. A waiver of attendance of a POST-certified basic course is authorized by Section 1008 of the Regulations.

- a. A waiver of attendance of a POST-certified basic course shall be determined through an assessment process, including evaluation and examination. The assessment process assists an agency in determining whether or not an individual should be required to attend a POST-certified basic course, and does not propose to determine whether or not the individual should be hired.

Evaluation, Examination, and Reexamination Fee

11-2. Fee: A fee to cover administrative costs of evaluation, examination, and reexamination, if applicable, shall be charged by the Commission. The appropriate fee must accompany the request for evaluation, examination, and reexamination. The appropriate fee shall be determined by the Commission and shall be based on actual expenditures related to this procedure.

- a. An individual who has been awarded a POST Basic Certificate is exempt from the evaluation of training and the evaluation fee. A photocopy of the certificate must accompany the application form.
- b. An individual who is hired by an agency prior to the date the agency enters the POST program is exempt from the evaluation fee. The evaluation is required.
- c. An individual who has completed a POST-certified Basic Course after July 1, 1980 is exempt from the evaluation of training and the evaluation fee. A photocopy of the certificate of completion from the academy must accompany the application form.

Eligibility

11-3. Eligibility For Evaluation: The individual for whom the request for evaluation of prior training is being made must be currently employed or under consideration for hire as a full-time law enforcement officer, as defined by Regulations Section 1001(1) or under consideration for appointment as a Level I Reserve Officer. The request for evaluation of prior law enforcement training may be submitted to POST only by an agency participating in the POST Program.

- a. An individual is under consideration for hire when POST receives a statement from the agency head attesting to the fact that the agency has accepted an employment application from the individual and that the individual is under consideration for hire.

Evaluation of Training

11-4. Preliminary Evaluation of Completed Training: The agency shall compare the peace officer training previously completed by the applicant against the current minimum basic course training requirements as specified in PAM, Section D-1, Basic Course or Specialized Basic Investigators Course, whichever is appropriate to the individual's assignment. The training that is comparable shall be documented by the agency on the Evaluation of Training Schedule, POST Form 2-260, or POST Form 2-260.1, respectively. Satisfactory training in each of the Basic Course functional areas must be documented on the form and verified by supporting documents prior to requesting an evaluation from POST. Satisfactory training must have been completed in each of the Basic Course functional areas in order for the individual to be eligible to take the Basic Course Waiver Examination (BCWE) appropriate to the individual's assignment.

- a. To qualify for an evaluation of previously completed basic course training, the individual must have successfully completed ~~400 hours of specific law enforcement training~~ the current minimum required hours for the Basic Course as specified in Procedure D-1, of which at least 200 hours must be the successful completion of one of the following: a basic general law enforcement training course certified or approved by California POST or a similar standards agency of another state; a California reserve course; or a federal agency general enforcement basic course. Additional law enforcement training or college and/or university courses in the related subjects may be considered to complete the remainder of the required ~~400~~ minimum hours. The completed training must be supported by a certificate of completion or similar documentation; transcripts are required to verify completed college and university courses.

11-4. Evaluation of Training (continued)

- (1) College or university credit in related law enforcement subjects may only be applied to those functional areas not covered through law enforcement training.
 - (2) One semester unit shall be equal to a maximum of 20 training hours and one quarter unit shall be equal to a maximum of 14 training hours.
- b. To qualify for an evaluation of a previously completed Basic Investigators Course, the individual must have successfully completed ~~180~~ the current minimum hours of specific training in basic investigative subjects in a California POST-certified or approved training course, or a course certified or approved by a similar standards agency of another state, a California reserve course, or a federal agency, general or investigative enforcement basic course. In addition to the ~~180~~ minimum hours of training, 40-hour arrest and firearms course satisfying the training requirements of P.C. 832 is also required. College or university courses in related subjects may also be considered in the evaluation. The completed training must be supported by a certificate of completion or similar documentation; transcripts are required to verify completed college and university courses.
- (1) College or university credit in related law enforcement subjects may only be applied to those functional areas not covered through law enforcement training.
 - (2) One semester unit shall be equal to a maximum of 20 training hours and one quarter unit shall be equal to a maximum of 14 training hours.
- c. Prior training and education must be comparable to the functional areas presented in the appropriate Basic Course to be acceptable for evaluation.
- (1) The completed POST Form 2-260, or POST Form 2-260.1, with all supporting training and education documents shall be submitted to POST with an Application for Assessment of Basic Course Training, POST Form 2-267.
 - (2) The Application Form POST 2-267 is to be signed by the applicant and department head in Section 1, Request for Evaluation.
 - (3) Each evaluation request must be accompanied by the evaluation fee in the form of a certified check or money order, payable to the Commission on POST.

11-5. POST Evaluation Process: Upon receipt of the completed POST Forms 2-260, or 2-260.1, and POST 2-267, all supporting documents and the appropriate fee, POST will evaluate the individual's prior training to verify ~~the findings of the agency equivalent training~~. Copies of peace officer academy course and reserve officer course outlines are acceptable to support the evaluation. All training must be verified by a certificate of completion or a course roster. When college courses are used to supplement training, a copy of the individual's college transcript must be submitted. POST may require additional supporting documents to complete the evaluation.

- a. The agency and the individual will be notified of the results of the evaluation.
 - (1) When the ~~evaluation determines that~~ prior training is deemed acceptable, the individual will be eligible to take the appropriate Basic Course Waiver Examination (BCWE).
 - (2) Where prior training is deficient in one or more functional areas, the individual shall have up to 180 days from date of evaluation to provide additional verification of completed training without an additional evaluation fee.

Basic Course Waiver Examination

11-6. Examination Scheduling: The appropriate Basic Course Waiver Examination (BCWE) ~~will~~ be scheduled upon receipt of the examination fee and the completed application form.

- a. The Application for Assessment of Basic Course Training, POST Form 2-267, signed by the applicant and the department head in Section 2, Request for Examination, is to be submitted to POST with the examination fee in the form of a certified check or money order, payable to the Commission on POST.
- b. Location and Frequency of Examination: The Basic Course Waiver Examination will be administered periodically as determined by POST. The frequency will be based upon the number of applicants eligible to take the examination. The geographic location of the applicant will be taken into consideration in determining the most appropriate location for the examination to be administrated.
 - (1) The agency and the individual will be notified of the examination date, time, and location.

~~11-7. Completion of the Basic Course Waiver Examination: Each examination is divided into twelve (12) modules covering all functional areas of the Basic Course. An individual who takes the examination must demonstrate competency within each functional area by successful completion of each of the examination modules.~~

- ~~a. If the individual fails three or fewer modules, the following options are available to successfully complete the failed modules:
 - ~~(1) A reexamination may be taken on each failed module. (See Section 11-8 of this procedure.)~~
 - ~~(2) Retraining of each failed module may be completed only through an institution certified to present the Basic Course. Retraining shall include appropriate testing by the presenter upon completion of the course. (See Section 11-9 of this procedure.)~~~~
- ~~b. If the individual fails four or more modules, reexamination or retraining shall not be allowed. The individual must then satisfactorily complete a POST-certified basic course in order to exercise the powers of a peace officer.~~

11-7. Completion of the Basic Course Waiver Examination: The examination consists of two components: written and skills.

- a. The written examination evaluates knowledge of Basic Course content and is pass/fail. An applicant must pass the written examination before being admitted to the skills examination. An individual who fails to achieve a passing score has the following options:
 - (1) A reexamination may be taken (see Section 11-8 of this procedure).
 - (2) Retraining by completion of the Regular Basic Course.
- b. The skills examination evaluates the manipulative skills content of the Basic Course. Individuals must demonstrate competency in each skill area. For failed modules, individuals may be reexamined on the specific skill area (see Section 11-8 of this procedure).

Reexamination

~~11-8. The reexamination may be taken not less than 30 days from the original examination date, but no later than 180 days from the original examination date. The reexamination shall include all previously failed modules not completed through the retraining option. The reexamination on each module the written examination shall be allowed one time only and only as an alternative to retraining.~~

Reexamination (continued)

- a. For the written examination, a ~~A~~ written request for reexamination ~~on the failed module(s)~~ must be submitted to POST with the reexamination fee in the form of a certified check or money order, payable to the Commission on POST. The individual will then be notified of the reexamination date, time, and location.
- ~~b. The agency and the individual will then be notified of the reexamination date, time, and location.~~
- b. For failed skills examination areas, the individual must make reexamination arrangements directly with the same POST Skills Testing Center in which the skills examination was originally taken. The POST-approved reexamination fee shall be submitted directly to the Skills Testing Center in the form of a certified check or money order, payable to the particular institution. The applicant will then be notified of reexamination dates and time. The reexamination on the skills test shall be allowed one time only.
- c. An individual who fails to reexamine within 180 days from the date of the original examination, or fails any module of the reexamination must then satisfactorily complete a POST-certified basic course ~~in order to before exercising the powers of a peace officer powers.~~

~~Retraining~~

~~11-9. Retraining is acceptable in each failed module not completed through the reexamination option. Retraining in each module shall be allowed one time only, and only as an alternative to reexamination.~~

- ~~a. Retraining of the failed module(s) may only be completed through an institution certified to present the appropriate Basic Course. An appropriate test is required to be given by the course presenter as evidence of satisfactory completion of retraining of the failed modules. The course presenters are not obligated to offer the retraining, but may if it does not conflict with the training of full-time basic course students. Arrangements for scheduling the retraining are the responsibility of the agency or individual. A fee may be charged by the presenter of the retraining course.~~
- ~~b. Verification of successful completion of the retraining module(s), including the required testing, submitted to POST within 180 days from the original examination date will satisfy the retraining requirement of the failed module(s).~~

~~Waiver of Testing/Retraining Requirement (continued)~~

- ~~c. An individual who fails to be retrained within 180 days from the date of the original examination, or fails the retraining course, must then satisfactorily complete a POST-certified basic course to exercise the powers of a peace officer.~~

Issuance of Waiver

~~11-9. 11-10.~~ Upon satisfactory completion of the assessment process, a Waiver of Attendance of a POST-certified Basic Course will be granted by POST. The waiver shall be valid for ~~a period of time in accordance with Section 11-11 of this procedure,~~ three years.

~~11-10. 11-11.~~ Basic Course Acceptable for Specialized Basic Investigators Course: An individual whose previous training satisfies the current minimum Basic Course training requirement is deemed by the Commission to have met the minimum training requirement of the Specialized Basic Investigators Course.

~~11-11. 11-12.~~ Specialized Basic Investigators Course Does Not Satisfy the Training Requirements of the Basic Course: An individual whose previous training satisfies the current minimum training requirement for the Specialized Basic Investigators Course is deemed by the Commission not to have met the minimum training requirement of the Basic Course. A Waiver of Attendance of a POST-certified basic course may be requested as described in this procedure.

Waiver of Testing/Retraining Requirement

11-12. The Commission may waive the testing/retraining requirement for an individual who is returning to law enforcement employment after a three-year or longer break in service, possesses a POST basic certificate, and:

- a. Is re-entering a middle management or executive rank and who will function at least at the second level of supervision; or
- b. Has been (with no more than a 60-day break between law enforcement employers) employed continuously in another state as a full-time peace officer; or
- c. Has served (with no more than a 60-day break in service between law enforcement employers) continuously as a Level I or Level II reserve officer in California and the individual's department head attests in writing that the reserve officer is currently proficient; or
- d. The individual's employment, training, and education during the break in service provides assurance, as determined by POST, that the individual is currently proficient.

REGULATIONS

Attachment C

Revised: ~~October 18, 1985~~

Revised: July 1, 1986

1008. Waiver of Attendance of a POST-certified Basic Course and Basic Course Requalification Requirements

- (a) The Commission may waive attendance of a POST-certified Basic Course required by Section 1005(a) of the Regulations for an individual who ~~is currently employed or under consideration for hire as a full time California peace officer by an agency participating in the POST programs and who~~ has completed training equivalent to a certified basic course. This waiver shall be determined by an evaluation and examination process as specified in PAM Section D-11, Waiver of Attendance of a POST-Certified Basic Course, (adopted effective January 28, 1982, and amended January 1, 1985 and October 24, 1985), herein incorporated by reference.

Eligibility

11-3. Eligibility For Evaluation: ~~The An individual for whom the request for evaluation of prior training is being made must be currently employed or under consideration for hire who desires to be considered for employment as a full-time law enforcement officer, as defined by Regulations Section 1001(1), or under consideration for appointment as a Level I Reserve Officer is eligible for evaluation. The request for evaluation of prior law enforcement training may be submitted to POST only by an agency participating in the POST Program.~~ by the applicant.

- ~~a. An individual is under consideration for hire when POST receives a statement from the agency head attesting to the fact that the agency has accepted an employment application from the individual and that the individual is under consideration for hire.~~

Evaluation of Training

11-4. Preliminary Evaluation of Completed Training: The agency or the applicant shall compare the peace officer training previously completed by the applicant against the current minimum basic course training requirements as specified in PAM, Section D-1, Basic Course or Specialized Basic Investigators Course, whichever is appropriate to the individual's assignment. The training that is comparable shall be documented by the agency on the Evaluation of Training Schedule, POST Form 2-260, or POST Form 2-260.1, respectively. Satisfactory training in each of the Basic Course functional areas must be documented on the form and verified by supporting documents prior to requesting an evaluation from POST. Satisfactory training must have been completed in each of the Basic Course functional areas in order for the individual to be eligible to take the Basic Course Waiver Examination (BCWE) appropriate to the individual's assignment.

- c. Prior training and education must be comparable to the functional areas presented in the appropriate Basic Course to be acceptable for evaluation.
- (1) The completed POST Form 2-260, or POST Form 2-260.1, with all supporting training and education documents shall be submitted to POST with an Application for Assessment of Basic Course Training, POST Form 2-267.
 - (2) The Application Form POST 2-267 is to be signed by the applicant ~~and department head~~ in Section 1, Request for Evaluation.
 - (3) Each evaluation request must be accompanied by the evaluation fee in the form of a certified check or money order, payable to the Commission on POST.

11-5. POST Evaluation Process: Upon receipt of the completed POST Forms 2-260, or 2-260.1, and POST 2-267, all supporting documents and the appropriate fee, POST will evaluate the individual's prior training to verify equivalent training. Copies of peace officer academy course and reserve officer course outlines are acceptable to support the evaluation. All training must be verified by a certificate of completion or a course roster. When college courses are used to supplement training, a copy of the individual's college transcript must be submitted. POST may require additional supporting documents to complete the evaluation.

- a. ~~The agency and the~~ individual will be notified of the results of the evaluation.
 - (1) When the prior training is deemed acceptable, the individual will be eligible to take the appropriate Basic Course Waiver Examination (BCWE).
 - (2) Where prior training is deficient in one or more functional areas, the individual shall have up to 180 days from date of evaluation to provide additional verification of completed training without an additional evaluation fee.

Basic Course Waiver Examination

11-6. Examination Scheduling: The appropriate Basic Course Waiver Examination (BCWE) will be scheduled upon receipt of the examination fee and the completed application form.

- a. The Application for Assessment of Basic Course Training, POST Form 2-267, signed by the applicant ~~and the department head~~ in Section 2, Request for Examination, is to be submitted to POST with the examination fee in the form of a certified check or money order, payable to the Commission on POST.
- b. Location and Frequency of Examination: The Basic Course Waiver Examination will be administered periodically as determined by POST. The frequency will be based upon the number of applicants eligible to take the examination. The geographic location of the applicant will be taken into consideration in determining the most appropriate location for the examination to be administered.
 - (1) ~~The agency and the~~ individual will be notified of the examination date, time, and location.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Domestic Violence Guidelines and Curriculum Report		Meeting Date July 25, 1985
Bureau Training Program Services	Reviewed By Hal Snow	Researched By Bob Spurlock
Executive Director Approval <i>Norman C. Becker</i>	Date of Approval	Date of Report June 5, 1985
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input checked="" type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No		
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		

ISSUE: Should the Commission approve domestic violence guidelines and required training pursuant to Penal Code Section 13519?

BACKGROUND: In 1984, the California Legislature passed Senate Bill 1472 (Watson) (now Section 13519, and 13700 et seq. of the Penal Code). This law requires the Commission, by January 1, 1986, to:

- o Develop guidelines for law enforcement response to domestic violence cases.
- o Implement a mandatory course of instruction in the handling of domestic violence complaints for law enforcement officers.
- o Include adequate instruction in specific domestic violence topics in the POST Basic Course.
- o Develop the necessary course(s) and guidelines to implement the mandate listed above, in consultation with appropriate groups and individuals, to include specific organizations mentioned in the bill.
- o Review existing training programs to determine how domestic violence topics might be included in consultation with these groups and individuals.

In addition, the legislation requires that all local police and sheriffs' officers who have received their basic training prior to January 1, 1986, attend a supplementary training course on domestic violence by January 1, 1989.

Law enforcement agencies must also adopt and implement written policies and standards for response to domestic violence calls by January 1, 1986 and make them available upon request. Law enforcement agencies are also required to maintain records of protection orders issued in domestic violence incidences and to compile certain statistical data from domestic violence calls received.

At the October 1984 meeting, the Commission approved hiring special consultant Lieutenant Robert Blankenship as a POST Management Fellow to assist with the development of the guidelines and curriculum. An Advisory Committee made up of members as specified in law as well as members from law enforcement, the legal and educational communities and the Commission was formed to provide technical assistance. This Committee attended five two-day special seminars between January-June 1985 to provide assistance and consultation in the development of the document

"Guidelines and Curriculum for Law Enforcement Response to Domestic Violence." See Attachment A, which includes the advisory committee members, proposed guidelines and curriculum, and Senate Bill 1472.

ANALYSIS: Since the law mandated certain activities and responsibilities to POST in the development of both guidelines and curriculum, an effort was made to balance the membership of the Advisory Committee to ensure that the completed project would serve the best possible interests of victims of domestic violence and yet be acceptable to law enforcement and presenters of training.

To this end, the Advisory Committee agreed initially to the following scope of the project:

- o Guidelines would be developed that were advisory in nature to allow for flexibility for implementation at the local level.
- o Curriculum would be developed for the Basic Course and in-service training provided that would ensure student competency in subject matter and serve the best interest of victims of domestic violence.
- o Curriculum would be developed with recommended minimum hours of instruction that could be readily incorporated into the Basic Course and current in-service training programs.
- o All instructors in the subject of domestic violence would be provided with instructor training, an instructional unit guide, and recommended reference resources to ensure consistency and quality training.

Care has been given in the design of these guidelines to provide direction in the handling of domestic violence cases and yet retain flexibility for law enforcement agencies to meet local and varying conditions. Consistent with legislative intent, the guidelines stress enforcement of laws relating to domestic violence.

Historically, law enforcement agencies have utilized a variety of dispute resolution methods as alternatives to arrest in domestic violence incidents. It is the intent of the Legislature that the official response to cases of domestic violence shall stress the enforcement of laws to protect the victim and shall communicate the attitude that violent behavior in the home is criminal behavior and will not be tolerated. When an officer is unable to make a misdemeanor arrest not committed in his presence, the guidelines specify the officer's responsibility to inform the victim of the right to make a private person's (citizen's) arrest and to accept such arrest. The guidelines, which do not address cases of domestic disputes where there is no domestic violence or criminal violation, provide for a report to be made in all incidents of domestic violence and provisions to provide the victim with the case number for follow-up purposes. A carefully designed process for the verification and enforcement of restraining orders and court-issued stay-away orders is provided as part of the guidelines. The guidelines also provide direction to officers in handling domestic violence cases arising out of tenancy disputes. Finally, the guidelines offer direction in providing victim assistance including medical, transportation, standby, community resources and the state Victim Assistance Program. Officer safety is also emphasized.

The curriculum, patterned in part after the guidelines, includes one additional learning goal and eleven new performance objectives proposed to be added to the Basic Course. The new performance objectives concern: (1) distinguishing between domestic disputes and domestic violence, (2) identifying the extent, nature and impact, (3) legislative intent and POST guidelines, (4) officer responsibility and duties to enforce laws, (5) verification and enforcement of court orders, (6) tenancy issues, (7) documenting cases, (8) victim assistance, (9) referral for criminal follow-up, (10) social services, and (11) practical exercises.

This curriculum also serves as the supplementary training required for in-service officers who have received their basic training prior to January 1, 1986. Eight (8) hours is the recommended minimum for the supplementary training. Experience dictates that previously completed training encompassing this curriculum should be permitted to satisfy the training requirement if it is POST-certified (as required by law) and is documented by the employing agency. For the Basic Course, it is estimated that the eight hours can be somewhat reduced because the instruction can be combined with existing related curriculum. The proposed curriculum can be incorporated into the existing 520-hour Basic Course. The recent 120-hour increase, effective July 1, 1985, took into consideration the pending increase for domestic violence.

Senate Bill 1472, and specifically Penal Code Section 13519, made applicable the required supplementary training for all defined peace officers from executive to officer. However, it appears that the legislative intent was for officers who actually handle or supervise the handling of domestic violence cases. Therefore, it is recommended that the supplementary domestic violence training be required to be completed by all officers and supervisors of police and sheriffs' departments. Additionally, it is recommended that police managers and executives who are designated as peace officers be required to complete a two-hour orientation to domestic violence laws, requirements, and POST guidelines.

With the concurrence of the Commission, the next steps would be to:

- o Begin certifying in-service domestic violence training for officers and supervisors as Technical Courses and recommending the content for Advanced Officer Courses. See Attachment B for Commission Procedure D-7.
- o Develop and have presented a regionally offered two-hour orientation for managers and executives that would satisfy the training requirement. See Attachment C for outline of orientation.
- o Present at least two one-day "train-the-trainers" workshops for domestic violence instructors from Basic Academies, Advanced Officer and Technical Courses.
- o Distribute the approved guidelines to all law enforcement agencies.
- o Prepare video and other appropriate training media specific to the new guidelines.

Senate Bill 1472 has a relatively minor fiscal impact upon police and sheriffs' departments. The bill, however, contains SB 90 exemption language to the requirements of Revenue and Tax Code Section 2231 (State Mandated Local Program). For officers and supervisors, the supplementary domestic violence training can be accommodated as part of the POST Continuing Professional Training Requirement.

Whether the training is taken as part of an Advanced Officer Course or separately as a Technical Course, it will satisfy the requirement and be reimbursable by POST. The fiscal impact upon POST should be minor as most of the training is expected to be incorporated into Advanced Officer Courses which are routinely presented.

RECOMMENDATIONS

Pursuant to the requirements of Penal Code Section 13519 relating to domestic violence, approve:

Effective immediately,

- (1) Guidelines for law enforcement response to domestic violence.
- (2) Supplementary training course curriculum for in-service officers and supervisors.
- (3) Authorize the Executive Director to report to the Legislature on behalf of the Commission on the results of this project, as appropriate.

Effective January 1, 1986,

- (4) Additional curriculum for the Basic Course on domestic violence.



WORKING DRAFT
(July 8, 1985)

California
Commission on Peace Officer Standards and Training

GUIDELINES AND CURRICULUM FOR LAW ENFORCEMENT RESPONSE TO DOMESTIC VIOLENCE

January 1986

Commission on Peace Officer Standards and Training

COMMISSIONERS

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Police Department

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Vice-Chairman

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SHERMAN BLOCK

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Officer, San Jose
Police Department

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District Attorney, Orange County

EDWARD MAGHAKIAN

Retired, Los Gatos

RAQUEL MONTENEGRO

Professor of Education,
California State University,
Los Angeles

C. ALEX PANTALEONI

Chairperson, Department of Public
Services, Rio Hondo College

CHARLES B. USSERY

Chief of Police, Long Beach
Police Department

ROBERT WASSERMAN

Chief of Police, Fremont
Police Department

JOHN VAN DE KAMP

Attorney General

NORMAN C. BOEHM

Executive Director, Commission
on Peace Officer Standards
and Training

F O R E W O R D

Penal Code Section 13519 requires the Commission on Peace Officer Standards and Training to establish guidelines and training for law enforcement's response to domestic violence. This publication prescribes those guidelines and the training curriculum required for recruit and in-service officers.

The guidelines for law enforcement agencies are deliberately brief and intended to be elaborated upon by law enforcement administrators and complemented by the training course curricula. All pertinent requirements of the Penal Code, Title 5, Chapter I, commencing with Section 13700, are provided for in the guidelines.

We are appreciative of the POST Domestic Violence Advisory Committee who labored tirelessly in developing these guidelines and curriculum. Lieutenant Robert Blankenship is particularly commended for his service as project director while on leave from the Redding Police Department. A special thanks is also extended to Police Chief Robert Whitmer Redding Police Department, for his support of this project.

Questions concerning these guidelines and curriculum should be directed to the Training Program Services Bureau at (916) 739-5372.

NORMAN C. BOEHM
Executive Director

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A. Senate Bill No. 1472, Chapter 1609

B. Bibliography

POST DOMESTIC VIOLENCE ADVISORY COMMITTEE

Project Coordinator, Robert Blankenship
Lieutenant, Redding Police Department
POST Consultant

Allen M. Anderson, Lieutenant
Bakersfield Police Department

Cynthia Campanile
Attorney at Law
State Bar of California

Catherine Campbell
State Commission of
Status of Women

Susan Cauldwell
California Alliance Against
Domestic Violence

Susan B. Cohen, Executive Director
California Probation, Parole and
Correctional Association

Marie Bertillion Collins
Superior Court Judge, Alameda Co.
Dean, California Judicial College

Karen Connell
SOJOURN, Community Education
California Alliance Against
Domestic Violence

Gregory G. Cowart, Chief
Gilroy Police Department
California Peace Officer Assn.

Glenn E. Dyer, Commissioner
Commission on POST
Sheriff, Alameda County

Pauline Gee, Attorney at Law
California Women Lawyer Assn.

Laura Gonzalez
Field Representative
Assemblyman John Vasconcellos
California Alliance Against
Domestic Violence

Carm J. Grande, Commissioner
Commission on POST
San Jose Police Department

Chuck Huchel, Chief
Fairfield Dept. of Public Safety
California Police Chief's Association

Michael Hunt, Assistant Director
California Attorney General's
Crime Prevention Center

R. K. (Bob) Canfield, Sergeant
Los Angeles Police Department

Sue Martin
Family Violence Project of the
District Attorney's Office
San Francisco; California Alliance
Against Domestic Violence

Kelson McDaniel, Chief
Los Alamitos Police Department

Ray Morris, Captain
Los Angeles Sheriff's Department

Robert Palmer, Sergeant
Weed Police Department

Vicki Quinn, Officer
San Francisco Police Department

Pat Rodgers, Lieutenant
Irvine Police Department
Peace Officers' Research
Association of California

L. Anthony White
California D. A.'s Association
Assistant D. A. Shasta County

Gary Wiley, Sergeant
Redondo Beach Police Department
California Association of Police
Training Officers

Lloyd Wilson
California State Sheriff's
Association
Sheriff-Coroner
Mono County

David Yancey
California Academy Directors
Association
Santa Clara Valley Criminal
Justice Training Center

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Introduction

Domestic violence is a growing problem in both California and the United States. Statistics from the California Department of Justice reveal that in almost one third of all willful homicides, the victim was killed by a spouse, parent or child. More dramatically, over one half of all female homicide victims were killed by a spouse, parent or child. 1/ Hundreds of thousands of Americans are harmed, not by strangers, but by those they trust and love. They are victimized not on the street nor in the workplace but in their own homes. Children who are abused or who live in homes where parents are battered carry the terrible lessons of violence with them into adulthood. A great proportion of those who assault both strangers and loved ones were raised themselves in violent households. Most authorities agree that violence is learned behavior. Accordingly, to tolerate family violence is to allow the seeds of violence to be sown into the next generation.

When the President's Task Force on Victims of Crime studied the experience of victims in this country, it recognized that family violence is often much more complex in causes and solutions than crimes committed by unknown attackers. To be abused by a spouse, a parent, a trusted adult or by one's own child or to witness such abuse carries with it a particular agony. Victims wrestle with feelings of fear, loyalty, love, guilt and shame. In this they often face conflicts not experienced by those attacked by strangers. Adults will be torn between the desire to shield and help a loved one and their responsibility toward their own safety or others in the household. Children often face alone the terrible truth that those who should protect them are in fact a source of harm. Anyone who lives in a violent home experiences an essential loss. The one place on earth where they should feel safe and secure has become instead a place of danger. A victim of domestic violence is no less a victim than one set upon by strangers.

In 1984, the California Legislature passed Senate Bill 1472 (Watson) (now Section 13519, and 13700 et seq. of the Penal Code). This law requires:

- o POST, by January 1, 1986, to develop guidelines for law enforcement response to domestic violence cases. (Penal Code Section 13519(d))
- o POST, by January 1, 1986, to implement into the Basic Course instruction in the handling of domestic violence complaints for law enforcement officers. (Penal Code Section 13519)
- o All local police and sheriffs' officers who have received their basic training prior to January 1, 1986, to attend a supplementary training course on domestic violence by January 1, 1989. (Penal Code Section 13519(c))

¹ Lois Haight Herrington, Preface to the Final Report, U.S. Attorney General's Task Force on Family Violence (Washington: Department of Justice, 1984), iii-iv.

- o POST to develop the necessary course(s) and guidelines to implement the mandate listed above, in consultation with appropriate groups and individuals, to include specific organizations mentioned in the bill. (Penal Code Section 13519(d))
- o POST, in consultation with these groups and individuals, to review existing training programs to determine how domestic violence topics might be included. (Penal Code Section 13519(d))
- o Law enforcement agencies to adopt and implement written policies and standards for response to domestic violence calls by January 1, 1986 and make them available upon request. (Penal Code Section 13701)
- o Law enforcement agencies are also required to maintain records of protection orders issued in domestic violence incidences and to compile certain statistical data from domestic violence calls received. (Penal Code Section 13710)
- o Law enforcement agencies to develop a system for recording all domestic violence related calls for assistance made to the department, including reporting requirements, as determined by the Attorney General by January 1, 1986. (Penal Code Section 13730)

The purpose of this law is to address domestic violence as a serious crime against society and to assure the victim of domestic violence the maximum protection from abuse which the law and those who enforce the law can provide. It is the intent of the legislature that the official response to cases of domestic violence shall stress the enforcement of the laws to protect the victims and shall communicate the attitude that violent behavior in the home is criminal behavior and will not be tolerated. It is not the intent of the legislature to remove a peace officer's individual discretion where that discretion is necessary, nor is it the intent of the legislature to hold individual peace officers liable for exercising such discretion.

The following are guidelines for law enforcement response to domestic violence. These guidelines do not address child abuse cases nor cases of domestic disputes where there is no domestic violence or criminal violation. Whenever the word "shall" is used, the appropriate legal citation is referenced. Whenever the word "should" is used, law enforcement agencies should consider the substitution of the word with "shall." Departmental policies and procedures may be more specific and may supersede these guidelines. Relevant training on these guidelines should be provided to appropriate employees. For clarification, guidelines are presented in full capitalization and explanatory information in lower case. Penal Code Section 13700 specifies the following definitions which are included for clear understanding of these guidelines:

"ABUSE" MEANS INTENTIONALLY OR RECKLESSLY CAUSING OR ATTEMPTING TO CAUSE BODILY INJURY, OR PLACING ANOTHER PERSON IN REASONABLE APPREHENSION OR IMMINENT SERIOUS BODILY INJURY TO HIMSELF OR ANOTHER.

"DOMESTIC VIOLENCE" IS ABUSE COMMITTED AGAINST AN ADULT OR FULLY EMANCIPATED MINOR WHO IS A SPOUSE, FORMER SPOUSE, COHABITANT, FORMER COHABITANT, OR A PERSON WITH WHOM THE SUSPECT HAS HAD A CHILD OR HAS HAD A DATING OR ENGAGEMENT RELATIONSHIP.

"OFFICER" MEANS ANY LAW ENFORCEMENT OFFICER EMPLOYED BY A LOCAL POLICE DEPARTMENT OR SHERIFF'S OFFICE, CONSISTENT WITH PENAL CODE SECTION 830.1.

"OFFICER" MEANS ANY LAW ENFORCEMENT OFFICER EMPLOYED BY A LOCAL POLICE DEPARTMENT OR SHERIFF'S OFFICE, CONSISTENT WITH PENAL CODE SECTION 830.1.

"VICTIM" MEANS A PERSON WHO IS A VICTIM OF DOMESTIC VIOLENCE.

This document specifies POST's general guidelines for law enforcement response to domestic violence and curriculum mandated by Penal Code Section 13519.

GUIDELINES FOR LAW ENFORCEMENT RESPONSE TO DOMESTIC VIOLENCE

I. ENFORCEMENT OF LAWS

Guideline 1 - ENFORCE LAWS RELATING TO DOMESTIC VIOLENCE.

Historically, law enforcement agencies have utilized a variety of dispute resolution methods as alternatives to arrest in domestic violence incidents. Based on public attitudes, lack of prosecution of domestic violence cases, and departmental priorities, a number of factors influence law enforcement officers to make no arrest in a majority of cases. It is the intent of the legislature that the official response to cases of domestic violence shall stress the enforcement of the laws to protect the victim and shall communicate the attitude that violent behavior in the home is criminal behavior and will not be tolerated. The following factors, for example, should not be used to avoid making an arrest:

1. marital status of suspect and victim,
2. whether or not the suspect lives on the premises with the victim,
3. existence or lack of temporary restraining order,
4. potential financial consequences of arrest,
5. complainant's history or prior complaints,
6. verbal assurances that violence will cease,
7. complainant's emotional state,
8. non-visible injuries,
9. location of the incident (Public/Private),
10. speculation that complainant may not follow through with the prosecution, or that the case may not result in a conviction.

II. FELONY ARREST

Guideline 2 - MAKE AN ARREST WHEN THERE IS REASONABLE CAUSE TO BELIEVE THAT A FELONY HAS OCCURRED.

III. MISDEMEANOR ARREST

Guideline 3 - MAKE AN ARREST WHEN THERE IS REASONABLE CAUSE TO BELIEVE THAT A MISDEMEANOR (INCLUDING VIOLATIONS OF COURT ORDERS) HAS OCCURRED IN THE OFFICER'S PRESENCE.

1. Officers considering releasing the suspect on a citation shall evaluate the likelihood of a continuing offense which is one of the statutory conditions under which a field release is not appropriate. Any one of the following may support the likelihood of a continuing offense:

- a. Whether the suspect has a prior history of arrests or citations involving domestic violence.
- b. Whether the suspect is violating a criminal court-issued-stay away order.
- c. Whether the suspect has previously violated, or is currently violating, valid temporary restraining orders.
- d. Whether the suspect has a prior history of other assaultive behavior (e.g., arrest/convictions for battery or aggravated assaults).
- e. Statements taken from the victim that the suspect has a history of physical abuse towards the victim.
- f. Statements taken from the victim expressing fear of retaliation or further violence should the suspect be released.

IV. PRIVATE PERSON'S ARREST (CITIZEN'S)

Guideline 4 - INFORM THE VICTIM OF THE RIGHT TO MAKE A PRIVATE PERSON'S ARREST WHEN A CRIME HAS BEEN COMMITTED OUTSIDE THE OFFICER'S PRESENCE WHICH DOES NOT MEET THE REQUIREMENTS FOR A FELONY ARREST. WHENEVER POSSIBLE, SUCH DISCUSSION SHALL BE HELD OUT OF THE PRESENCE OF THE SUSPECT.

Guideline 5 - ACCEPT A PRIVATE PERSON'S ARREST. OFFICERS SHOULD NOT DISSUADE VICTIMS FROM MAKING A LAWFUL PRIVATE PERSON'S ARREST.

V. REPORTING

Guideline 6 - WRITE A REPORT IN ALL INCIDENTS OF DOMESTIC VIOLENCE. PENAL CODE SECTION 13730 REQUIRES SUCH A REPORT SHALL BE IDENTIFIED ON ITS FACE AS A DOMESTIC VIOLENCE INCIDENT AND BE RETRIEVABLE.

Guideline 7 - IDENTIFY, IN THE REPORT, WHETHER OR NOT WEAPONS WERE INVOLVED. (PENAL CODE 13730(a))

Guideline 8 - PROVIDE THE VICTIM WITH THE CASE NUMBER OF THE REPORT, OR IF NOT IMMEDIATELY AVAILABLE, EXPLAIN TO THE VICTIM HOW THE NUMBER MAY BE OBTAINED.

VI. COURT PROTECTIVE ORDERS

Guideline 9 - VERIFY AND ENFORCE RESTRAINING ORDERS.

There are different types of restraining orders issued by a court in domestic violence situations. Penal Code Section 13710 requires law enforcement agencies to maintain a complete and systematic record of all protection orders with respect to domestic violence incidents, restraining orders, and proofs of service in effect. This section also requires that the systematic record shall be used to inform law enforcement officers responding to domestic violence calls of the existence, terms, and effective dates of protection orders in effect.

A. Verification of Restraining Orders

Whenever a complainant advises of the existence of a restraining order, the officer should ascertain:

1. Whether a restraining order is on file with the department or whether complainant has copy of restraining order in possession.
2. Whether a restraining order is still valid as to duration/time.
3. Whether the proof of service or prior notice exists or that the suspect was in court when the order was made.
4. The terms of the restraining order.

B. Arrest Criteria and Enforcement Procedures

1. A violation of a restraining order is a misdemeanor under either Penal Code Sections 273.6 or 166.4. Make an arrest when there is reasonable cause to believe the subject of the restraining order has violated the order in the presence of the officer and any one of the following conditions is met:
 - a. The existence of the order and proof of service on the suspect has been verified by the officer.
 - b. The complainant produces a valid copy of the order bearing a file stamp of a court and a proof of service on the subject.
 - c. The existence of the order has been verified by the officer; no proof of service is required if the order reflects that the suspect was personally present in court when the order was made.
 - d. The existence of the order has been verified, and there is proof that the suspect has previously been admonished by an officer.
2. When the officer verifies that a restraining order exists, but cannot verify proof of service or prior knowledge of order by suspect, the officer should:
 - a. Inform the subject of the terms of the order.
 - b. Admonish the subject of the order, that the subject is now on notice and that the violation of the order will result in arrest. If the subject continues to violate the order after being advised of the terms, an arrest should be made.
 - c. If the suspect complies after admonishment of the terms, the officer shall make a retrievable report pursuant to Penal Code Section 13730(c)) showing the suspect was admonished/advised of the terms of the order, the specific

terms of the order suspect was advised about, the name of the admonishing officer, time and date. The department's copy of the restraining order will be updated to reflect the admonishment information listed above.

3. In the event the suspect has left the scene of the incident, an investigation should be made to determine if a crime has been committed. Penal Code Sections 13730(c) and 13701(i) require that a retrievable report shall be made and complainant shall be advised of the follow-up criminal procedure and case number of the report.

C. Order Not Verifiable

1. When the victim is not in possession of the TRO, and/or in case of computer error, officers may not be able to confirm the order's validity.
 - a. Penal Code Section 13730(c) requires that an officer shall write a report, give the victim the police report number and direct the victim to contact the appropriate department unit for follow-up information.
 - b. When an order is not verifiable through the verification procedures, officers should advise the victim of the right to make a private person's arrest for the appropriate violation.

Guideline 10 - VERIFY AND ENFORCE CRIMINAL COURT-ISSUED STAY-AWAY ORDERS

A. Verification of Stay-Away Orders

1. A stay-away order is issued in a criminal case where the probability of victim intimidation exists and violation of such is a misdemeanor under Penal Code Section 166.4. In domestic violence incidents where a person advises an officer that a stay-away order has been issued, the officer should attempt to ascertain the terms and validity of the order.
 - a. Request the victim show a copy of the order. Verify, through the department, that the suspect is under the court's jurisdiction, or
 - b. Verify, through the department, that a stay-away order has been issued against the suspect.

B. Arrest Criteria and Enforcement Procedures

1. The Code of Civil Procedure Section 540 et seq. and 527.6 requires that when the order has been verified, officers shall effect an arrest if the suspect has violated any terms of the order. The report should note the specific violations of the order, and the victim shall be given the police report number for reference pursuant to Penal Code Section 13701(i).

2. A violation of the order is a violation of Penal Code Section 166.4. This violation can be added to other charges such as assault or battery.
3. An act of victim intimidation relating to the court proceedings is a violation of Penal Code Section 136 et seq. Examples of intimidation include:
 - a. Attempting to prevent or dissuade a victim from attending or giving testimony at any proceeding is a misdemeanor.
 - b. Using force, or expressing or implying threat of force or violence related to the court proceeding is a felony.

C. Order Not Verifiable

1. When the victim is not in possession of the stay-away order, and/or in cases of computer error, officers may not be able to confirm the order's validity.
 - a. Penal Code Section 13730 requires that officers shall write a report, give the victim the police report number and direct the victim to contact the appropriate department unit for follow up information.
 - b. When an order is not verifiable through the verification procedures, officers should advise the victim of the right to make a private person's arrest for the appropriate violation.

VII. TENANCY

Guideline 11 - REQUEST A PERSON WHO IS NOT IN LAWFUL POSSESSION OF THE PREMISES TO LEAVE THE PREMISES WHEN: (1) THE COMPLAINANT IS IN LAWFUL POSSESSION OF THE PREMISES, AND (2) THE COMPLAINANT HAS REQUESTED THAT THE PERSON LEAVE THE PREMISES.

- A. Arrest the suspect under Penal Code Section 602.5 if the suspect does not leave upon request.
- B. The officer should refer the complainant for a temporary restraining order or other appropriate civil remedy if the complainant requesting removal cannot show proof of lawful possession. "Lawful possession" of the premises is shown by a rental agreement, cancelled rent check, lease, grant deed, verification from landlord, court order, or other document showing person(s) to be removed.

VIII. VICTIM ASSISTANCE

Guideline 12 - ASSIST IN OBTAINING APPROPRIATE MEDICAL ATTENTION IF A COMPLAINANT CLAIMS INJURY WHETHER VISIBLE OR NOT.

Guideline 13 - ASSIST IN MAKING ARRANGEMENTS TO TRANSPORT THE VICTIM TO AN ALTERNATE SHELTER IF THE VICTIM EXPRESSES A CONCERN FOR SAFETY OR THE OFFICER DETERMINES A NEED EXISTS.

Guideline 14 - STAND BY FOR A REASONABLE AMOUNT OF TIME WHEN A COMPLAINANT REQUESTS POLICE ASSISTANCE WHILE REMOVING ESSENTIAL ITEMS OF PERSONAL PROPERTY.

Guideline 15 - EXPLAIN LEGAL OPTIONS AVAILABLE TO THE VICTIM INCLUDING THE PRIVATE PERSON'S ARREST PROCESS, TEMPORARY RESTRAINING AND STAY-AWAY ORDERS, AND IN CASES OF ARREST, THE FOLLOW-UP PROCEDURES AND ENSUING CRIMINAL PROCEEDINGS.

Guideline 16 - ADVISE THE VICTIM OF AVAILABLE COMMUNITY RESOURCES AND THE STATE VICTIM ASSISTANCE PROGRAM.

IX. OFFICER SAFETY

Guideline 17 - EXERCISE REASONABLE CARE FOR THE SAFETY OF OFFICERS AND PARTIES INVOLVED AND NO PROVISION OF THIS GUIDELINE SHALL SUPERSEDE THAT RESPONSIBILITY.

CURRICULUM

LAW ENFORCEMENT RESPONSE TO DOMESTIC VIOLENCE

COURSE OUTLINE

POST ADMINISTRATIVE MANUAL REFERENCE

Law

Commission Procedure D-7

LEGAL REFERENCE

Penal Code Section 13519, effective January 1, 1985, requires the Commission to implement a course of instruction in the handling of domestic violence complaints by January 1, 1986. The course of basic training for law enforcement officers shall, no later than January 1, 1986, include adequate instruction on specified procedures and techniques. All law enforcement officers who have received their basic training before January 1, 1986 shall participate in supplementary training on domestic violence subjects, as prescribed and certified by the Commission. This training shall be completed no later than January 1, 1989. Local law enforcement agencies are encouraged to include, as part of their advanced officer training program, periodic updates and training on domestic violence.

BACKGROUND

This curriculum was developed with the input of an advisory committee, as specified in the law. The curriculum is based upon POST guidelines for law enforcement response to domestic violence which was also developed with the input of the advisory committee.

CERTIFICATION INFORMATION

The following curriculum is applicable in its entirety to the Basic Course and to in-service officers who have received their basic training before January 1, 1986. This curriculum is in addition to the existing Basic Course curriculum on Law, Disputes, and Family Disputes. This supplementary training for in-service officers may be included as part of Advanced Officer Courses or certified as a Technical Course. To assist presenters and instructors, the POST Basic Course Unit Guides are available upon request and contain more detailed information on this curriculum.

TOPICAL OUTLINE

Recommended Hourly Breakdown for Supplementary Training

A. Overview of Domestic Violence	1.5
B. Legislative Intent/POST Guidelines	1.0
C. Enforcement of Laws	1.5
D. Court Orders	1.0
E. Tenancy	.5
F. Documenting Domestic Violence Incidents	.5
G. Victim Assistance and Referral	.5
H. Practical Application/Student Evaluation	1.5

TOTAL MINIMUM HOURS 8.0

LEARNING GOAL AND PERFORMANCE OBJECTIVES

Learning Goal: The student will gain the ability to handle domestic violence incidents. (New Learning Goal 8.47.0)

A. Overview of Domestic Violence

80% 1. The student will identify the difference between domestic violence and a domestic dispute. (New P.O. 8.47.1)

80% 2. The student will identify the extent, nature and impact of domestic violence including: (New P.O. 8.47.2)

- A. Frequency of occurrence/escalating nature and lethality
- B. Impact on victims, children, and batterers
- C. Cycle of violence
- D. Dynamics of the victim and batterer
- E. Learned behavior
- F. Family structure and culture
- G. Effectiveness and impact of law enforcement intervention
- H. Specific Interviewing Skills

B. Legislative Intent/POST Guidelines

80% 1. The student will identify essential elements of Penal Code Sections 13700 et seq. and 13519 and legislative intent for law enforcement response to domestic violence incidents including: (New P.O. 8.47.3)

- A. Domestic violence as a serious crime against society
- B. Enforcement of laws to provide maximum protection to the victim from abuse
- C. Violent behavior in the home is criminal behavior
- D. Not to remove a peace officer's individual discretion
- E. Not to hold individual peace officers liable for exercising such discretion
- F. POST Guidelines

C. Enforcement of Laws

80% 1. The student will identify the officer's responsibility and authority in taking enforcement action related to domestic violence incidents including: (New P.O. 8.47.4)

- A. Felonies
- B. Misdemeanors
- C. Private person's arrest
- D. Cite and release

D. Court Orders

80% 1. The student will identify the officer's responsibilities and authority to verify and enforce court orders including: (New P.O. 8.47.5)

- A. Restraining orders
- B. Stay-away orders

E. Tenancy

80% 1. The student will identify the officer's responsibility and authority with tenancy issues related to domestic violence and domestic disputes (Penal Code 602.5). (New P.O. 8.47.6)

F. Documenting Domestic Violence Incidents

80% 1. The student will identify the officer's responsibility in documenting incidents of domestic violence including: (New P.O. 8.47.7)

- A. Written report
- B. Legal requirements upon law enforcement agencies
- C. Providing victim with case number of the report

G. Victim Assistance and Referral

80% 1. The student will identify the officer's responsibility to provide assistance to victims of domestic violence including: (New P.O. 8.47.8)

- A. Medical attention
- B. Transportation to alternate shelter
- C. Stand by for removal of personal property
- D. Personal safety options

80% 2. The student will identify the officer's responsibility in referring victims of domestic violence for legal options and criminal follow up. (New P.O. 8.47.9)

- 80% 3. The student will identify the services most commonly provided by social services agencies for victims of domestic violence. (New P.O. 8.47.10)

H. Practical Application/Student Evaluation

- 80% 1. Given an exercise, the student will handle a domestic violence situation meeting all criteria of legislative intent, safety, effectiveness, legality, and reasonableness. (New P.O. 8.47.11)

COURSE

Senate Bill No. 1472

CHAPTER 1609

An act to add Section 13519 to, and to add and repeal Title 5 (commencing with Section 13700) to Part 4 of, the Penal Code, relating to training of peace officers, and making an appropriation therefor.

[Approved by Governor September 29, 1994. Filed with Secretary of State September 30, 1994.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1472, Watson. Domestic violence: law enforcement training.

Existing law provides for the issuance of protective court orders in cases involving domestic violence. Existing law also requires that peace officers receive training in first aid, child abuse, and sexual assault cases in order to obtain the basic certificate issued by the Commission on Peace Officer Standards and Training.

This bill would require peace officers to receive specified training in responding to domestic violence calls. The bill would require that the course of instruction, the learning and performance objectives, and the standards for the training be developed by the Commission on Peace Officer Standards and Training, in consultation with appropriate groups and individuals having an interest and expertise in the field of domestic violence, as specified. The bill would appropriate \$40,000 from the Peace Officers Training Fund for support of the commission for expenses of convening the necessary experts and \$25,000 to the Department of Justice for compilation of information relating to domestic violence. Additionally, the bill would provide procedures for law enforcement officers in responding to domestic violence-related calls and make other provisions relating to domestic violence.

This bill would impose a state-mandated local program by requiring local law enforcement agencies to adopt and comply with specified procedures with respect to domestic violence incidents, to maintain records of protection orders issued in domestic violence incidents, and to compile and record by categories all domestic violence-related calls received.

Article XIII B of the California Constitution and Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement.

This bill would provide that no appropriation is made by this act for the purpose of making reimbursement pursuant to the

constitutional mandate or Section 2231 or 2234, but would recognize that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

This bill, in compliance with Section 2231.5 of the Revenue and Taxation Code, would also repeal, as of January 1, 1991, the provisions contained in the bill for which state reimbursement is required.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares that:

(a) A significant number of homicides, aggravated assaults, and assaults and batteries occur within the home between adult members of families. Research shows that 35 to 40 percent of all assaults are related to domestic violence.

(b) The reported incidence of domestic violence represents only a portion of the total number of incidents of domestic violence.

(c) Twenty-three percent of the deaths of law enforcement officers in the line of duty results from intervention by law enforcement officers in incidents of domestic violence.

(d) Domestic violence is a complex problem affecting families from all social and economic backgrounds.

The purpose of this act is to address domestic violence as a serious crime against society and to assure the victims of domestic violence the maximum protection from abuse which the law and those who enforce the law can provide. It is the intent of the Legislature that the official response to cases of domestic violence shall stress the enforcement of the laws to protect the victim and shall communicate the attitude that violent behavior in the home is criminal behavior and will not be tolerated. It is not the intent of the Legislature to remove a peace officer's individual discretion where that discretion is necessary, nor is it the intent of the Legislature to hold individual peace officers liable.

SEC. 2. Section 13519 is added to the Penal Code, to read:

13519. (a) The commission shall implement by January 1, 1986, a course or courses of instruction for the training of law enforcement officers in California in the handling of domestic violence complaints and also shall develop guidelines for law enforcement response to domestic violence. The course or courses of instruction and the guidelines shall stress enforcement of criminal laws in domestic violence situations, availability of civil remedies and community resources, and protection of the victim. Where appropriate, the training presenters shall include domestic violence experts with expertise in the delivery of direct services to victims of domestic violence, including utilizing the staff of shelters for battered women in the presentation of training.

As used in this section, "law enforcement officer" means any officer or employee of a local police department or sheriff's office.

(b) The course of basic training for law enforcement officers shall, no later than January 1, 1986, include adequate instruction in the procedures and techniques described below:

(1) The provisions set forth in Title 5 (commencing with Section 13700) relating to response, enforcement of court orders, and data collection.

(2) The legal duties imposed on police officers to make arrests and offer protection and assistance including guidelines for making felony and misdemeanor arrests.

(3) Techniques for handling incidents of domestic violence that minimize the likelihood of injury to the officer and that promote the safety of the victim.

(4) The nature and extent of domestic violence.

(5) The legal rights of, and remedies available to, victims of domestic violence.

(6) The use of an arrest by a private person in a domestic violence situation.

(7) Documentation, report writing, and evidence collection.

(8) Domestic violence diversion as provided in Chapter 2.6 (commencing with Section 1000.6) of Title 3 of Part 2.

(9) Tenancy issues and domestic violence.

(10) The impact on children of law enforcement intervention in domestic violence.

(11) The services and facilities available to victims and batterers.

(12) The use and applications of this code in domestic violence situations.

(13) Verification and enforcement of temporary restraining orders when (A) the suspect is present and (B) the suspect has fled.

(14) Verification and enforcement of stay-away orders.

(15) Cite and release policies.

(16) Emergency assistance to victims and how to assist victims in pursuing criminal justice options.

The guidelines developed by the commission shall also incorporate the foregoing factors.

(c) All law enforcement officers who have received their basic training before January 1, 1986, shall participate in supplementary training on domestic violence subjects, as prescribed and certified by the commission. This training shall be completed no later than January 1, 1989.

Local law enforcement agencies are encouraged to include, as part of their advanced officer training program, periodic updates and training on domestic violence. The commission shall assist where possible.

(d) The course of instruction, the learning and performance objectives, the standards for the training, and the guidelines shall be developed by the commission in consultation with appropriate groups and individuals having an interest and expertise in the field of domestic violence. The groups and individuals shall include, but

shall not be limited to, the following: one representative each from the California Peace Officers' Association, the Peace Officers' Research Association of California, the State Bar of California, the California Women Lawyers' Association, and the State Commission on the Status of Women; two representatives from the commission; two representatives from the California Alliance Against Domestic Violence; two peace officers, recommended by the commission, who are experienced in the provision of domestic violence training; and two domestic violence experts, recommended by the California Alliance Against Domestic Violence, who are experienced in the provision of direct services to victims of domestic violence. At least one of the persons selected shall be a former victim of domestic violence.

The commission, in consultation with these groups and individuals, shall review existing training programs to determine in what ways domestic violence training might be included as a part of ongoing programs.

(e) Forty thousand dollars (\$40,000) is appropriated from the Peace Officers Training Fund in augmentation of Item 8120-001-268 of the Budget Act of 1984, to support the travel, per diem, and associated costs for convening the necessary experts.

SEC. 3. Title 5 (commencing with Section 13700) is added to Part 4 of the Penal Code, to read:

TITLE 5. LAW ENFORCEMENT RESPONSE TO DOMESTIC VIOLENCE

CHAPTER 1. GENERAL PROVISIONS

13700. As used in this title:

(a) "Abuse" means intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to himself, or another.

(b) "Domestic Violence" is abuse committed against an adult or fully emancipated minor who is a spouse, former spouse, cohabitant, former cohabitant, or a person with whom the suspect has had a child or has or has had a dating or engagement relationship.

(c) "Officer" means any law enforcement officer employed by a local police department or sheriff's office, consistent with Section 830.1.

(d) "Victim" means a person who is a victim of domestic violence.

13701. Every law enforcement agency in the this state shall develop, adopt, and implement written policies and standards for officers' response to domestic violence calls by January 1, 1986. These policies shall reflect that domestic violence is alleged criminal conduct. Further, they shall reflect existing policy that a request for assistance in a situation involving domestic violence is the same as

any other request for assistance where violence has occurred. These existing local policies and those developed shall be in writing and shall be available to the public upon request and shall include specific standards for the following:

- (a) Felony arrests.
- (b) Misdemeanor arrests.
- (c) Use of citizen arrests.
- (d) Verification and enforcement of temporary restraining orders when (1) the suspect is present and (2) when the suspect has fled.
- (e) Verification and enforcement of stay-away orders.
- (f) Cite and release policies.
- (g) Emergency assistance to victims, such as medical care, transportation to a shelter, and police standbys for removing personal property.
- (h) Writing of reports.
- (i) Assisting victims in pursuing criminal options, such as giving the victim the report number and directing the victim to the proper investigation unit.

In the development of these policies, each local department is encouraged to consult with domestic violence experts, such as the staff of the local shelter for battered women and their children. Departments may utilize the response guidelines developed by the commission in developing local policies.

CHAPTER 2. RESTRAINING ORDERS

13710. Law enforcement agencies shall maintain a complete and systematic record of all protection orders with respect to domestic violence incidents, restraining orders, and proofs of service in effect. This shall be used to inform law enforcement officers responding to domestic violence calls of the existence, terms, and effective dates of protection orders in effect.

CHAPTER 3. STAY-AWAY ORDERS

13720. A stay-away order may be issued by the court in a criminal case involving domestic violence where, with notice to the defendant and upon an affidavit, a likelihood of harassment of the victim by the defendant has been demonstrated to the satisfaction of the court. Such an order may remain in effect as long as the suspect is under the court's jurisdiction, including any sentence or probationary period.

CHAPTER 4. DATA COLLECTION

13730. (a) Each law enforcement agency shall develop a system, by January 1, 1986 for recording all domestic violence-related calls for assistance made to the department including whether weapons are

involved. Monthly, the total number of domestic violence calls received and the numbers of such cases involving weapons shall be compiled by each law enforcement agency and submitted to the Attorney General.

(b) The Attorney General shall report annually to the Governor, the Legislature, and the public, the total number of domestic violence-related calls received by California law enforcement agencies, the number of cases involving weapons, and a breakdown of calls received by agency, city, and county.

(c) Each law enforcement agency shall develop an incident report form that includes a domestic violence identification code by January 1, 1986. In all incidents of domestic violence, a report shall be written and shall be thus identified on the face of the report as a domestic violence incident.

CHAPTER 5. TERMINATION

13731. This title shall remain in effect only until January 1, 1991, and as of that date is repealed, unless a later enacted statute, which is chaptered before January 1, 1991, deletes or extends that date.

SEC. 4. The sum of twenty-five thousand dollars (\$25,000) is hereby appropriated from the General Fund to the Department of Justice for the purposes of Section 13730 of the Penal Code.

SEC. 5. Notwithstanding Section 6 of Article XIII B of the California Constitution and Section 2231 or 2234 of the Revenue and Taxation Code, no appropriation is made by this act for the purpose of making reimbursement pursuant to these sections. It is recognized, however, that a local agency or school district may pursue any remedies to obtain reimbursement available to it under Chapter 3 (commencing with Section 2201) of Part 4 of Division 1 of that code.

APPENDIX B

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7-2. Standards for Approved Course Content and Minimum Hours (continued)

	Minimum Hours		Minimum Hours
<u>Penal Code Section 13510.5</u> <u>State Agency Peace Officers (a)</u>		<u>Penal Code Section 13517</u> <u>Child Abuse and Neglect (a)(b)(d)</u>	
The Advanced Officer Course as described in Pam, Section D-2 shall satisfy the minimum training required by PC 13510.5, per Commission action of October 1978.		(Optional Technical Course)	
		A. Detection	
		B. Investigation	
		C. Response	
		D. Procedures for determining whether or not a child should be taken into protective custody	
<u>Penal Code Section 13516</u> <u>Sex Crime Investigation (a)</u>	(24)	<u>Penal Code Section 13519</u> <u>Domestic Violence</u>	
Preliminary Sexual Assault Investigation and Sexual Exploitation/Sexual Abuse of Children (Required part of Basic) (6 hours) (b):		A. Overview of Domestic Violence	
A. Overview of Problems, Issues and Prevention Considerations		B. Legislative Intent/POST Guidelines	
B. Sensitivity of Responding Officer		C. Enforcement of Laws	
C. Treatment of Victim		D. Court Orders	
D. Preliminary Investigation Procedure		E. Tenancy	
E. Collection and Preservation of Evidence		F. Documenting Domestic Violence Cases	
F. Classroom Demonstration		G. Victim Assistance and Referral	
Follow-up Sexual Assault Investigation (18 hours):		H. Practical Application/Student Evaluation	
G. Basic Assault Investigation		<u>Vehicle Code Section 40600</u> <u>Traffic Accident Investigation (a)(d)</u>	
H. Review Report of Preliminary Investigation		A. Vehicle Law and Court Decisions Relating to Traffic Accidents	
I. Re-interview the Victim		B. Report Forms and Terminology	
J. Investigation of the Suspect		C. Accident Scene Procedures	
K. Physical Evidence		D. Follow-up and Practical Application	
L. Prosecution		<u>Civil Code Section 607f</u> <u>Humane Officer Firearms (a)</u>	(15)
M. Pretrial Preparation		The required course is the Firearms portion of the PC 832 Course, with an examination.	
(a) Certified courses			
(b) Satisfied by the Basic Course			
(d) No minimum hours have been established			

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
Executive/Management Orientation to Domestic Violence
(Course Outline)

- A. Background and Overview of Problem
- B. Background and Intent of SB 1472
- C. Review Requirements of SB 1472 (Penal Code Section 13519, et al) - Changes of Agency Practices
- D. Review POST Guidelines for Handling Domestic Violence Cases
- E. Questions and Answers

Needs to be POST-Certified

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title F.Y. 84/85 Final Salary Reimbursement Level		Meeting Date July 25, 1985
Bureau Administrative Services	Reviewed By Otto H. Saltenberger	Researched By Otto H. Saltenberger
Executive Director Approval Monroe C. Beck	Date of Approval July 3, 1985	Date of Report July 3, 1985
Purpose: <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No		

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Setting the final salary reimbursement level for F.Y. 84/85.

BACKGROUND

The Commission has for some years held Peace Officer Training Reimbursement funds in reserve to guard against unexpected increases in training volume. At the end of the fiscal year, unexpended funds are ordinarily disbursed as an adjustment to salary reimbursable training retroactive to the beginning of the fiscal year.

ANALYSIS

Since April, 1985 the Commission has reimbursed at 65% for Basic Training and 80% for other salary reimbursable training. At those levels, \$ 1.37 million was left unexpended as of June 30, 1985.

Consistent with POST Commission policy, disbursement of these monies may be authorized as the final salary rate reimbursement for the F.Y. 84/85. Such disbursement will result in a final reimbursement rate of 71.1% for the Basic Course and 86.1% for other courses.

Complete detail on the F.Y. 84/85 Budget is contained in the annual financial report elsewhere in this agenda.

RECOMMENDATION

Approve the distribution of the remaining aid to local government moneys for F.Y. 1984/85 which will approximate 71.1% for the Basic Course and 86.1% for other salary eligible courses certified by the Commission.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title F.Y. 85/86 Salary Reimbursement Rate		Meeting Date July 25, 1985
Bureau Administrative Services	Reviewed By <i>[Signature]</i> Otto H. Saltenberger	Researched By Otto H. Saltenberger
Executive Director Approval <i>[Signature]</i>	Date of Approval 7-3-85	Date of Report July 3, 1985
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No		

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Setting the baseline salary reimbursement rate for F.Y. 1985/86.

BACKGROUND

Annually the Commission establishes a beginning salary reimbursement rate for the new fiscal year after a review of projected expenditures and remaining funds available. Because of the difficulty involved with accurate projections of training volume, a conservative level is initially established and the availability of funds is reviewed at each quarterly commission meeting. As warranted, incremental increases are made during the year.

ANALYSIS

The budget recently signed by the Governor provides for a \$7.6 million increase in the Peace Officer Training Reimbursement category. Staff has reviewed the funding level along with projections and options with the Finance Committee.

The total appropriation for training services and reimbursement support for F.Y. 1985/86 amounts to \$35,115,000. This amount is proposed to be invested in law enforcement training in the following manner:

Budget Appropriation	\$35,115,000
1. Letters of Agreement and Room Rentals . . .	220,000
Subtotal	\$34,895,000
2. Training and Service Enhancement such as Driver Training Shoot/No-Shoot and other means of improving existing training . . .	4,000,000
Subtotal	\$30,895,000
3. Subsistence/Travel . . .	10,120,519
Subtotal	\$20,774,481

4.	Beginning Baseline Salary Reimbursement: 60% for the Basic Course and 70% for other courses . . .	<u>16,446,790</u>
	Subtotal	\$ 4,327,691
5.	Contingency for Increased Cost and Increased Number of Trainees (in past years) . . .	<u>2,000,000</u>
	Subtotal	\$ 2,327,691
6.	Contingency for increase of Training Quantity pending a study on methods to increase annual training . . .	\$ 2,327,691
	Subtotal	\$ -0-

This approach provides: 1) a salary reimbursement baseline higher than the beginning baseline last year; 2) an allocation for enhancing quality of training; 3) an allocation for enhancing quantity of training pending studies to explore appropriate incentives to be completed within the next few months; and 4) a reserve for increased training costs and increased training volumes.

It is proposed that the beginning baseline be set at 60% for Basic Training and 70% for other salary reimbursable courses. It is anticipated that this level can be increased later in the year. Beginning at this level will allow for both a prudent reserve for contingencies and the commitment of some funds, if studies so justify, towards programs to enhance the quality of training.

RECOMMENDATION

Approve the baseline salary reimbursement level for the F.Y. 85/86 at 60% (Basic Course) and 70% (other courses).

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contracts for Specialized Training BCP Consultants		Meeting Date July 25, 1985
Bureau Training Program Services	Reviewed By Glen Fine	Researched By Hal Snow H.S.
Executive Director Approval <i>Merrill C. Berlin</i>	Date of Approval 6-25-85	Date of Report June 3, 1985
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input checked="" type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No		

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should approval be given to contract for one year's services of up to three temporary consultants to conduct the research and program coordination provided by the 1985-86 fiscal year Budget Change Proposal (BCP) on Specialized Training?

BACKGROUND

The Commission, at the October 1984 meeting, approved submission of a \$1.3 million 1985-86 BCP on Specialized Training providing for research and development of training on critical liability-causing subjects (firearms, driver training, etc.) with particular attention being given to training using modern technology such as lasers, computers, video, and simulators. This BCP was subsequently approved by the Legislature and Governor as part of the 1985-86 fiscal year POST budget. The BCP appropriates funding to POST for contracts to employ three temporary consultants for one year to conduct the necessary research and coordinate the development of such training.

ANALYSIS

The work requirements of each temporary consultant include:

- A. Use of Firearms - To research and develop recommended training programs related to shoot, no-shoot and officer safety tactics using lasers, computers, simulators and other forms of advanced technology.
- B. Driver Training - To research the feasibility of developing driver training simulators for use in law enforcement, evaluate the need for regional facilities, and develop a long-range plan for driver training.
- C. Other Critically Needed Research - To research and develop other relevant training programs such as a model Advanced Officer Course, Victim-Witness, Defensive Tactics, and Reserve Officer.

It is proposed that contracts with other local or state governmental agencies be approved for an amount not to exceed \$210,000 for the temporary services of up to three consultants. The estimated cost for each consultant would include \$40,000 for salary, \$20,000 for fringe benefits and \$10,000 for travel/per diem expenses

FOA

for a total cost/consultant of \$70,000. Consistent with the Commission's previous contracts, these consultants would serve as POST Management Fellows. If this proposal meets with Commission approval, staff will seek qualified individuals with particular needed expertise and endeavor to contract with their employing agencies for their temporary services. If qualified candidates cannot be acquired through contracts with other governmental agencies, then contracts with individuals would be initiated to secure the consultants. See Attachment A for consultant duties and qualifications.

RECOMMENDATION

Effective immediately, approve up to three contracts for up to one year's services of three consultants at a cost not to exceed \$210,000 for salary, fringe benefits, and travel/per diem expenses pursuant to the 1985-86 BCP on Specialized Training.

Attachment

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COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

POST MANAGEMENT FELLOW PROGRAM

POST is seeking to employ up to three temporary consultants to research and coordinate the development of training programs on critical liability-causing subjects, e.g., firearms, driver training etc.

The work requirements of each temporary consultant include:

- A. Use of Firearms - To research and develop recommended training programs related to shoot, no-shoot and officer safety tactics using lasers, computers, simulators and other forms of advanced technology.
- B. Driver Training - To research the feasibility of developing driver training simulators for use in law enforcement, evaluate the need for regional facilities, and develop a long-range plan for driver training.
- C. Other Critically Needed Research - To research and develop other relevant training programs such as a model Advanced Officer Course, Victim-Witness, Defensive Tactics, and Reserve Officer.

Temporary consultants will serve as POST forms of Advanced Management Fellows, which permits POST to contract with the consultant's employing agency for salary, fringe benefits and travel/per diem expenses. Temporary consultants continue their employment and regular compensation with no interruption in service. The POST Management Fellowship Program affords an opportunity for individual growth and leadership while facilitating the healthy exchange of ideas.

Duties:

1. Develop and evaluate training programs
2. Plan for and facilitate meetings of subject matter experts
3. Develop course budgets and curriculum
4. Write reports and articles
5. Work under the supervision of POST staff

Desirable Experience Qualifications:

1. Academy teaching experience in critical liability-causing subjects
2. Experience or knowledge of high technology in training delivery
3. Experience as a field training officer or training manager
4. Experience in conducting research projects
5. Achievement of rank of sergeant or higher

For additional information or submission of resumes, contact Hal Snow, Bureau Chief, Training Program Services, Commission on POST, 4949 Broadway, Sacramento, California 95820-0145, phone (916) 739-5385.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		ITEM BANKING SYSTEM - CONTRACT APPROVAL FOR SOFTWARE DEVELOPMENT	Meeting Date July 25, 1985	
Bureau Standards & Evaluation		Reviewed By	Researched By John Berner	
Executive Director Approval <i>Maurice C. Boecher</i>		Date of Approval <i>July 3, 1985</i>	Date of Report June 12, 1985	
Purpose:				
<input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No				

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE:

Award of contract for software development for Test Item Bank.

BACKGROUND:

At its June 1984 meeting, the Commission authorized the submission of a Budget Change Proposal (BCP) for FY 85-86 to automate the Basic Course Test Item Bank. Included in the BCP was \$51,000 in contract money for software development. The BCP was approved by the legislature and it is anticipated that the funds will become available July 1. The purpose of this agenda item is to request Commission approval for the Executive Director to sign a contract with a qualified bidder to develop the item bank software for an amount not to exceed \$61,000.

When fully operational, the Basic Course Test Item Bank will make it possible for each academy to access an item pool of psychometrically sound test items for the purpose of assessing student mastery of the Basic Course Performance Objectives. To date, efforts to develop the item bank have centered around the development of test items to be included in the bank; a survey of the academies to determine current computer hardware and software capabilities; and completion of a feasibility study, approved by the Department of Finance, which specifies the proposed approach for automating the item bank. The first year's activities, as specified in the approved feasibility study, include development of the software for the system as specified in the Commission-approved BCP for FY 35-36.

ANALYSIS:

Development of the computer software is essential if the item bank is to be automated. The advantages of automating the system include: the automated generation of custom made tests of specific performance objectives; automated printing of camera-ready test booklets; automated test scoring; and automated updating of the statistical properties of all test items within the test bank.

Standards & Evaluation Services

ANALYSIS: (continued)

In anticipation of the contract monies for software development becoming available July 1, 1985, a Request for Quotation has been developed and mailed to approximately 150 qualified individuals and organizations. In addition, a contract review committee has been established, comprised of academy personnel and POST staff. The committee will meet in mid-July, and assuming at least one acceptable quotation is received, will select a recommended contractor by the Commission meeting date.

RECOMMENDATION:

Authorize the Executive Director to sign a contract, not to exceed \$61,000, with the successful bidder for the development of the test item banking software.

Memorandum

: COMMISSIONERS

Date : July 9, 1985

GALE WILSON, Finance Committee Chairman

From : **Commission on Peace Officer Standards and Training**

Subject: REPORT FROM MEETING OF JUNE 28, 1985

The Finance Committee met in South San Francisco on June 28th from 11:30 a.m. to 1:30 p.m. In addition to myself, present were Commissioners Hicks, Pantaleoni, Ussery and Wasserman. Also present were Executive Director Boehm, Deputy Executive Director Fine and Administrative Services Bureau Chief Saltenberger.

Committee members reviewed the recently approved F.Y. 1985/86 Budget. We also reviewed and concurred with staff proposals for beginning baseline salary reimbursement for 1985/86 and end of year disbursement of unexpended 1984/85 reimbursement funds as well as certain contracts which were earlier on the agenda.

The Committee's main task was to review proposals for budget change proposal for F.Y. 1986/87 and prepare recommendations to the full Commission. It is important to bear in mind that the scope and complexity of the Commission's stewardship has increased several times in the past five years while staff levels have remained the same or even declined. For example, our staff levels have been reduced this year over last year (84.1 to 82.8 net positions). The Commission's request for 7.5 new permanent positions last year was not approved. The Committee is recommending BCP's totaling \$833,843 which includes seven new positions.

The Committee recommends Commission approval for finalization and submittal to the Department of Finance of the following budget change proposals:

	Personnel Years (PY)	\$
1. Staff Legal Counsel	1.0	\$ 58,845
2. Computer Replacement	-	500,000
3. Contract - Clinical Psychologist	-	10,000
4. Item Banking - Office Technician	1.0	- 14,680
5. Test Validation & Development Spec	1.0	37,588
6. Training Officer	1.0	42,000
7. Mgmt Counseling Consultant	1.0	55,000
8. Personal Services Contract	-	45,000
9. CED Secretary	1.0	22,230
10. Equipment - Scanner	-	47,760
11. Staff Services Analyst	1.0	30,100
Total	7.0	\$833,843

A complete description of each proposal is attached to this report.

Attachment

BUDGET CHANGE PROPOSALS

FISCAL YEAR 1986-87

<u>Title/Description</u>	<u>Personnel Years</u>	<u>Amount*</u>
1. <u>Legal Counsel</u>	1.0	\$ 59
<p>In recent years, an increasing number of POST projects have required legal research. Included are the 13510(b) issues, Reading and Writing Test, Proficiency Test, Background Investigation Manual and Course contents, Fair Employment Practices Guidelines and court decisions effecting all POST activities. The Commission must rely on the Attorney General's Office for its legal advise. In many instances, the information received has not been timely or has fully met the needs as requested. Moreover, efforts to increase the availability of legal staff time from the A.G.'s office have not been successful due to reduction in personnel making it more difficult to satisfy our needs. A Staff Counselor (attorney) position is requested to provide the Commission and its staff with in-house expertise to more effectively execute their legislative responsibilities.</p>		
2. <u>Computer Replacement</u>	-	500
<p>The expected result of the POST Feasibility Study Report (FSR) for replacing our computer equipment is a proposal to acquire new computer hardware and software in FY 1986/87. This will include a processor (or processors), terminals, printers, communication gear and connection cable. Software to continue POST's current programs more efficiently will be an operating system for the processor, some type of application generator, program compilers and special function software packages such as word processing, spreadsheets, graphics and a data base management system for POST and possibly field functions and services.</p> <p>Depending on variables such as equipment selected, vendors, ease of conversion and training, the total cost of new computer equipment could approach \$500,000. The exact amount needed will be defined in the FSR which is expected to be completed by October 1985.</p>		
3. <u>Contract - Clinical Psychologist</u>	-	10
<p>For FY 85-86, contract money (for one year) in the amount of \$50,000 was requested and approved for the services of a licensed clinical psychologist to (1) assist the local agencies in adhering to</p>		

	Personnel Years	Amount*
<p>the new emotional stability standard and (2) evaluate the impact of the standard by continuing the gathering and analysis of data to verify the results of the original research over a long-term period.</p> <p>After the first year of implementation, POST predicts that the need for assistance by local agencies will decline but not disappear. The same decrease in need can be predicted for continuing the research -- there will be ongoing research to examine the relationship between individuals' scores on the most commonly used psychological testing instruments and their subsequent job performance, but on a much smaller scale. Hence, this budget change proposal is a request for the contract services of a licensed clinical psychologist for \$10,000 per year.</p>		
4. <u>Item Banking - Office Technician</u>	1.0	-15
<p>This proposal redirects the original allocation of \$77,000 for the Automated Item Banking and Test Generation System to reflect reduced ongoing yearly costs after the initial start-up year. The ongoing yearly costs including the addition of an Office Technician position are estimated to be \$62,000 a year. This amount is consistent with the amount shown in the 1984 feasibility study report on the project.</p>		
5. <u>Test Validation & Development Specialist</u>	1.0	38
<p>This proposal is to establish another Test Validation and Development Specialist II to develop test items. There are several reasons for this need. First, the plan to train item writers among academy staff proved unaccomplishable, meaning that the entire task fell to POST staff. Second, at least 2,000 test items are needed within the next (86-87) fiscal year in order for the Item Bank to be operational. Third, the Test Validation and Development Specialist II currently on staff has been more than fully occupied by other related assignments, including (a) developing, administering, and analyzing the results of new forms of the Basic Course Proficiency Exam, (b) designing and developing the programs for a new Proficiency Test Feedback Report, (c) revising the Basic Course Waiver Exam, (d) developing new success criteria for the POST</p>		

	<u>Personnel Years</u>	<u>Amount *</u>
Basic Course, and (e) continuing as project director of the Item Banking Project and participating in all phases of the project including software development.		
Though the new Test Validation and Development Specialist II would devote a majority of time to item writing, that person would provide assistance with regard to POST's ongoing work on the Basic Course Proficiency Exam and the Basic Course Waiver Exam.		
6. <u>Training Officer</u>	1.0	42
It is proposed that a new position be established to function as a training officer for the staff of POST. Assignments which the training officer will assume which cannot now be completed are: (1) Conduct a training needs assessment for POST staff; (2) Identify and recommend courses to meet the needs of staff by class project assignment, or by individual; (3) Evaluate effectiveness of training after application on the job of skills and abilities learned in the training courses; (4) Selection of software packages and conversion of training records to a computerized system; and (5) Assist managers and employees develop individual training plans;		
7. <u>Management Counseling Staff</u>	1.0	55
This proposal is for an additional consultant position to maintain the required level of production and quality, and to respond to requests for assistance from local agencies in a timely manner.		
Workload of the bureau has increased with the added emphasis on continued assistance to local law enforcement agencies to implement the changes recommended in organizational studies. New responsibilities, assigned in FY 985-86, include administration of Team Building Workshop Program, administration of contracted personal services and supervision of contracted work, preparation of management and technical manuals, and development of law enforcement management applications for micro-computer. An increased requirement for staff training, necessary to maintain and enhance management knowledge and technical skills became		

	<u>Personnel Years</u>	<u>Amount *</u>
apparent in FY 1985-86. The new duties and responsibilities, in addition to the continuing demand for organizational studies mandated by 13513 PC, impose a significant additional workload on the four assigned consultants.		
8. <u>Personal Services Contract</u>	-	45
Duties to be performed within the contract include technical assistance to Management Counseling Services Bureau staff in planning and performance of organizational studies, preparation of recommendations, implementation of organizational changes, research and preparation of technical reference manuals, and preparation of micro-computer applications for law enforcement agency management. Personal services, available by contract, will extend the bureau staff, and make available technical skills and knowledge not possessed by staff.		
9. <u>CED Secretary</u>	1.0	22
This proposal is to establish an additional Office Technician position in the Center for Executive Development.		
The existing secretary providing clerical services to 1 bureau chief, 3 consultants and 1 associate government program analyst, is not enough. On a regular basis in 85/86 we have needed the services full time of an Office Technician II. So that consultants can work on their assignments 100% of the time and do clerical work some of the time, an office technician working with the secretary is absolutely essential. The duties of the office technician would be: maintenance of research files on subjects and faculty; workshop notebook xeroxing and collating of materials (4 times per month); filing Command College information on applicants and students; filling requests for Command College applications; typing all letters not presently prepared on 4-phase; answering the telephone during breaks; filling in when the center secretary is absent; and providing other general clerical services to the Center beyond the capability of the single secretary.		

	Personnel Years	Amount *
10. <u>Equipment - Scanner</u>	-	48

Presently, POST administers two large testing programs. The POST Entry-Level Law Enforcement Test Battery is used by over 120 agencies and academies to test approximately 20,000-25,000 applicants annually, while the Basic Course Proficiency Examination is administered to approximately 3,500 cadets each year. Both programs are dependent upon sophisticated optical mark scanning for scoring, and POST has been contracting for this services with the State Personnel Board. The Board has announced, however, that as of July 1986, they will no longer provide the service. This announcement means that POST must consider other ways for the scoring to be done.

After consideration of the alternatives, the best possible solution appears to be a one-time equipment expenditure to purchase an NCS (National Computer Systems) Model 7006 Scanner. This scanner can be purchased for \$38,500 plus approximately \$5,000 for various peripherals (total = \$43,500). In addition to the one-time cost of purchasing the Scanner, there would also be an on-going \$355 a month maintenance fee (\$4,260 a year). Since POST currently pays \$20,000 a year in contract money for scoring purposes, the fact that this machine would pay for itself in approximately two and a half years argues strongly for its purchase. Other compelling reasons include (1) the fact that no other contractors can meet POST's needs (2) the NCS Scanner is the best, most accurate scanner available, and (3) the operation of the scanner could be handled by present POST staff; no additional staff would be required.

11. <u>Staff Services Analyst Position</u>	1.0	30
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Because of complaints from both applicants and employers, it is proposed that Basic Course Waiver Examination policies be revised to allow POST to deal directly with applicants seeking equivalency evaluation. Some paper work currently performed by employers would be shifted to POST. It is

estimated that the volume of applicants will significantly increase. A full-time staff services analyst is believed necessary.

	<u>Personnel Years</u>	<u>Amount*</u>
Total	7.0	\$834

*In thousands

Memorandum

To : POST Commissioners

Date : July 2, 1985

Commissioner B. Gale Wilson

From : **Commission on Peace Officer Standards and Training**

Subject: Report of the Long Range Planning Committee Meeting of June 24, 1985

The Committee met in Sacramento on June 24 at 1 p.m.. Chairman Vernon asked that I chair the meeting in his absence. Present in addition to myself were Commissioners Dyer, Grande and Ussery. Also present were Executive Director Boehm, Deputy Executive Director Fine, and Bureau Chiefs Allan and Berner.

The Committee reviewed and discussed the following issues:

1. Basic Course Equivalency Testing Process

Staff reported on perception of need for change in policy that restricts POST from dealing directly with applicants. Current policy has resulted in complaints from applicants and employers. A full report is on the Commission's agenda.

2. PC 832 Training Course

An update was provided by staff on progress to date toward implementing a revised and potentially longer course. S.B. 90 is a troublesome issue. Options including the impact of training technology which the Commission approved for study at the April meeting still need to be assessed.

3. Enhancing the Quality of Training

The Executive Director reported that sufficient funds may be available in the 1985/86 F.Y. budget to allow for new programs or enhancement of existing programs to improve the quality of training. Options that might be considered were described as (1) establishment of regional training centers for critical skills training, (2) investment in a driver training simulator, (3) a leadership training institute, (4) incentives to reward higher levels of inservice training, (5) assume tuition costs for additional training courses, and (6) assume some presentation costs of the Basic Course.

There was consensus that staff should continue to explore feasibility of new directions that hold promise of true improvements in the quality of POST programs.

Reading/Writing Test

Staff reviewed findings and conclusions of the past year's assessment of reading and writing testing by employers and academies.

Committee members were briefed by staff on compliance problems associated with the Commission's regulation that requires administration of a reading/writing test.

The meeting adjourned at 3:15 p.m.

Commission on Peace Officer Standards and Training
Legislative Review Committee Meeting
July 25, 1985 9:00 a.m.
Bahia Hotel, San Diego

AGENDA

1. Status Report

- Active bills followed by POST

2. New Legislation

- SCR 34 (Presley) Requires a study of the Assessment Fund
- AB 1911 (Stirling) Requires POST to conduct study of peace officer deaths

3. General Discussion

- Dispatcher standards
- Other

4. Adjournment

COMMISSION ON POST
BILL STATUS REPORT

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*           BILLS TRACKED BY           *
*                                     *
*           TYPE: ACTIVE               *
*                                     *
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AB0453 -- ELDER

GOVERNMENT: PEACE OFFICERS.

UNDER EXISTING LAW, A PERSON WHO HAS BEEN CONVICTED OF A FELONY, OR AN OFFENSE IN ANOTHER STATE WHICH WOULD HAVE BEEN A FELONY IN THIS STATE, IS, WITH SPECIFIED EXCEPTIONS, DISQUALIFIED FROM HOLDING OFFICE AS A PEACE OFFICER OR BEING EMPLOYED AS A PEACE OFFICER BY THE STATE OR LOCAL GOVERNMENT.

THIS BILL WOULD PROVIDE THAT INDIVIDUALS CHARGED WITH A FELONY AND ADJUDGED MENTALLY INCOMPETENT, NOT GUILTY BY REASON OF INSANITY, OR DETERMINED TO BE A MENTALLY DISORDERED SEX OFFENDER, OR ADJUDGED ADDICTED, OR IN DANGER OF BECOMING ADDICTED TO NARCOTICS, CONVICTED, AND COMMITTED TO A STATE INSTITUTION, AS SPECIFIED, WOULD BE DISQUALIFIED FROM HOLDING OFFICE AS A PEACE OFFICER OR BEING EMPLOYED AS A PEACE OFFICER. <JUNE 13, 1985 AMENDED VERSION>

VOTE: MAJ APPROPRIATION: NO FISCAL: NO STATE-MANDATED LOCAL FGM: NO

1985 JUN 20 Referred to Com. on JUD.

NEXT HEARING

SENATE JUDICIARY

TUE, JUL 9, 1985 - Room 4203 -- 1:30 p.m.

POSITION	TYPE	SUBJECT
NEUTRAL	ACTIVE	STANDARDS

AB0913 -- ALATORRE

SCHOOL: PEACE OFFICERS

(TWO-YEAR BILL)

AB 913, UNDER EXISTING LAW, SCHOOL DISTRICTS ARE AUTHORIZED TO ESTABLISH A SECURITY DEPARTMENT OR A POLICE DEPARTMENT UNDER THE SUPERVISION OF A DESIGNATED OFFICIAL. EXISTING LAW SPECIFIES THAT MEMBERS OF A COMMUNITY COLLEGE POLICE DEPARTMENT ARE PEACE OFFICERS FOR PURPOSES OF ENFORCING THE LAW ON OR NEAR THE CAMPUS, GROUNDS, OR PROPERTY OF THE COMMUNITY COLLEGE. THIS BILL WOULD REQUIRE SCHOOL DISTRICTS AND COMMUNITY COLLEGES TO ADHERE TO THE STANDARDS FOR RECRUITMENT AND TRAINING OF PEACE OFFICERS ESTABLISHED BY THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING, THUS CREATING A STATE-MANDATED LOCAL PROGRAM.

VOTE: MAJ APPROPRIATION: NO FISCAL: YES STATE-MANDATED LOCAL FGM: YES

1985 JUN 4 Re-referred to Com. on M. & P.

POSITION	NO HEARINGS SCHEDULED TYPE	SUBJECT
NOT CONSID	ACTIVE	TRAINING

AB1379 -- HAUSER

(7-2-79) BILL DEFEATED IN COMM.

COMMISSION ON PEACE OFFICERS AND STANDARDS AND
TRAINING

AB 1379 WOULD REQUIRE UNDER EXISTING LAW THAT THE COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CONSISTS OF 11 MEMBERS, 5 OF WHICH SHALL CONSIST ONLY OF SHERIFFS OR CHIEFS OF POLICE.

VOTE: MAJ APPROPRIATION: NO FISCAL: NO STATE-MANDATED LOCAL PGM: NO

1985 JUN 6 Referred to Com. on JUD.

NO HEARINGS SCHEDULED

POSITION	TYPE	SUBJECT
OPPOSE	ACTIVE	POST RELAT

AB1911 -- STIMULON

CRIMINAL LAW: PEACE OFFICERS

EXISTING LAW ESTABLISHES THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING, WHICH IS CHARGED WITH THE DEVELOPMENT OF STANDARDS AND TRAINING PROGRAMS FOR PEACE OFFICERS, AS SPECIFIED. EXISTING LAW PROVIDES FOR THE TRANSFER OF A PORTION OF PENALTY ASSESSMENTS TO THE PEACE OFFICERS' TRAINING FUND, WHICH IS CONTINUOUSLY APPROPRIATED FOR GRANTS TO LOCAL GOVERNMENTS AND DISTRICTS AND FOR COSTS OF ADMINISTRATION.

THIS BILL WOULD APPROPRIATE \$98,000 FROM THE PEACE OFFICERS' TRAINING FUND, IN AUGMENTATION OF ITEM 8120-001-248 OF THE BUDGET ACT OF 1985, FOR PROVISION OF A STUDY OF THE CIRCUMSTANCES UNDER WHICH PEACE OFFICERS ARE KILLED IN THE COURSE OF THEIR EMPLOYMENT. THE STUDY WOULD BE REQUIRED TO INCLUDE THE PREPARATION OF GUIDELINES ESTABLISHING OPTIONAL STANDARD PROCEDURES CONCERNING THOSE SITUATIONS. THE STUDY WOULD BE REQUIRED TO BE SUBMITTED TO THE LEGISLATURE BY DECEMBER 31, 1986. <JULY 1, 1985 VERSION>

VOTE: 2/3 APPROPRIATION: YES FISCAL: YES STATE-MANDATED LOCAL PGM: NO

1985 JUL 1 From committee chairman, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on JUD.

NEXT HEARING:

SENATE JUDICIARY
TUE, JUL 9, 1985 -- Room 4203 -- 1:30 p.m.

POSITION	TYPE	SUBJECT
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NOT CONSID

ACTIVE

TRAINING

AB1988 -- WATERS, NORMAN INVESTIGATION GUIDELINES

AB 1988 WOULD EXPRESS THE LEGISLATURE'S POLICY THAT THIS EXISTING LAW IS TO ENCOURAGE THE ESTABLISHMENT OF INVESTIGATION GUIDELINES THAT TAKE INTO CONSIDERATION THE SENSITIVE NATURE OF THE SEXUAL EXPLOITATION AND SEXUAL ABUSE OF CHILDREN WITH RESPECT TO BOTH THE ACCUSED AND THE ALLEGED VICTIM.

VOTE: NAJ APPROPRIATION: NO FISCAL: NO STATE-MANDATED LOCAL FGM: NO

1985 JUL 2 In committee: Set, first hearing. Hearing canceled at the request of author.

NEXT HEARING: SENATE JUDICIARY
TUE, JUL 9, 1985 -- Room 4203 -- 1:30 p.m.

POSITION	TYPE	SUBJECT
NEUTRAL	ACTIVE	POST RELAY

AB2187 -- WATERS, MAXINE LANDLORD AND TENANT: ILLEGAL LOCKOUTS

AB 2187 WOULD IMPOSE A STATE-MANDATED LOCAL PROGRAM BY REQUIRING COUNTY AND CITY LAW ENFORCEMENT AGENCIES TO ADOPT AND IMPLEMENT SPECIAL WRITTEN POLICIES AND STANDARDS FOR RESPONDING TO THESE SITUATIONS, AS SPECIFIED, BY JULY 1, 1986. THE BILL WOULD REQUIRE THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING TO ADOPT STANDARDS FOR INSTRUCTION AND GUIDELINES FOR LAW ENFORCEMENT RESPONSE. THE BILL WOULD REQUIRE THE COMMISSION, IN CONSULTATION WITH SPECIFIED GROUPS AND INDIVIDUALS, TO REVIEW EXISTING TRAINING PROGRAMS FOR INCLUSION OF TRAINING UNDER THE BILL. THE BILL WOULD APPROPRIATE \$40,000 TO THE COMMISSION TO PAY THE EXPENSES OF EXPERTS UTILIZED BY THE COMMISSION FOR PURPOSES OF THIS BILL. THIS BILL WOULD PROVIDE THAT REIMBURSEMENT FOR COSTS MANDATED BY THE BILL SHALL BE MADE PURSUANT TO STATUTORY PROCEDURES AND, IF THE STATEWIDE COST DOES NOT EXCEED \$500,000, SHALL BE PAYABLE FROM THE STATE MANDATES CLAIMS FUND.

VOTE: 2/3 APPROPRIATION: YES FISCAL: YES STATE-MANDATED LOCAL FGM: YES

1985 APR 29 In committee: Set, first hearing. Hearing canceled at the request of author.

NO HEARINGS SCHEDULED

POSITION	TYPE	SUBJECT
NEUTRAL	ACTIVE	TRAINING

AB2513 --- WATERS, NORMAN PEACE OFFICERS: STANDARDS AND TRAINING
 AB 2513 WOULD REQUIRE THESE GUIDELINES TO INCLUDE PROCEDURES FOR MINIMIZING THE NUMBER OF TIMES A CHILD IS INTERVIEWED BY LAW ENFORCEMENT PERSONNEL.

VOTE: MAJ APPROPRIATION: NO FISCAL: LOCAL PGM: NO

1985 JUN 20 Referred to Com. on JUD.

NO HEARINGS SCHEDULED

POSITION	TYPE	SUBJECT
NEUTRAL	ACTIVE	POST RELAT

SB0021 --- ELLIS PEACE OFFICERS: MARSHALS.

SB 21 WOULD ADD MARSHALS AND DEPUTY MARSHALS TO THE LIST OF PEACE OFFICERS REQUIRED TO MEET THE TRAINING STANDARDS PRESCRIBED BY THE EMERGENCY MEDICAL SERVICES AUTHORITY FOR THE ADMINISTRATION OF FIRST AID AND CARDIOPULMONARY RESUSCITATION. THIS BILL WOULD STATE THAT IT IS THE INTENT OF THE LEGISLATURE THAT PEACE OFFICER MEMBERS OF THE MARSHAL'S OFFICE MEET THE FIRST AID AND CARDIOPULMONARY RESUSCITATION STANDARDS PRESCRIBED BY THE EMERGENCY MEDICAL SERVICES AUTHORITY, AS PART OF THE SELECTION AND TRAINING STANDARDS FOR MARSHALS AND DEPUTY MARSHALS ESTABLISHED BY THE COMMISSION ON PEACE OFFICER TRAINING AND STANDARDS. THE BILL WOULD MAKE AN APPROPRIATION BY AUTHORIZING NEW EXPENDITURES FROM THE PEACE OFFICERS' TRAINING FUND, WHICH IS A CONTINUOUSLY APPROPRIATED FUND. THIS BILL WOULD PROVIDE THAT REIMBURSEMENT FOR COSTS MANDATED BY THE BILL SHALL BE MADE PURSUANT TO STATUTORY PROCEDURES AND, IF THE STATEWIDE COST DOES NOT EXCEED \$500,000, SHALL BE PAYABLE FROM THE STATE MANDATES CLAIMS FUND. <MARCH 28, 1985 AMENDED VERSION>

VOTE: 2/3 APPROPRIATION: YES FISCAL: YES STATE-MANDATED LOCAL PGM: YES

1985 JUN 6 From committee: Do pass, but first be re-referred to Com. on W. & M. with recommendation: To Consent Calendar. (Agas 7. Roes 0.) Re-referred to Com. on W. & M.

NO HEARINGS SCHEDULED

POSITION	TYPE	SUBJECT
NEUTRAL	ACTIVE	TRAINING

SB0159 --- PRESLEY ELECTRONIC SURVEILLANCE

SB 159 WOULD AUTHORIZE THE INTERCEPTION OF WIRE OR ORAL COMMUNICATIONS BY CERTAIN LAW ENFORCEMENT OFFICERS UNDER SPECIFIED JUDICIAL AUTHORIZA-

TION PROCEDURES. VIOLATION OF CERTAIN PROVISIONS WOULD CONSTITUTE CONTEMPT, AND PERSONS AGGRIEVED BY A VIOLATION WOULD HAVE A CIVIL CAUSE OF ACTION FOR DAMAGES, AS SPECIFIED. IT WOULD REQUIRE THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING TO ESTABLISH A COURSE OF TRAINING AND THE ATTORNEY GENERAL TO SET STANDARDS FOR CERTIFICATION OF LAW ENFORCEMENT OFFICERS TO INTERCEPT PRIVATE COMMUNICATIONS. IT WOULD PROVIDE THAT THE GENERAL PROHIBITION OF ELECTRONIC EAVE-DROPPING OR RECORDING OR TAPPING COMMUNICATIONS DOES NOT RENDER IMPOSSIBLE IN A CRIMINAL PROCEEDING ANY COMMUNICATION INTERCEPTED BY FEDERAL OFFICERS IF VALIDLY AUTHORIZED BY A FEDERAL COURT. (MAY 2, 1985, AMENDED VERSION)

VOTE: MAJ APPROPRIATION: NO FISCAL: YES STATE-MANDATED LOCAL FEE: YES

1985 JUN 10 Set, first hearing. Hearing canceled at the request of author.

NEXT HEARING: ASSEMBLY PUBLIC SAFETY
JUL 15, 1985 -- 447 -- 01:30 P.M.

POSITION	TYPE	SUBJECT
SUPPORT	ACTIVE	TRAINING

0345 -- DAVIS

COUNTY SHERIFFS: ELIGIBILITY

(BKL WITHDRAWN)

SB 345 WOULD REQUIRE A PERSON, IN ORDER TO BE ELIGIBLE FOR ELECTION OR APPOINTMENT TO THE OFFICE OF SHERIFF ON OR AFTER JAN 1, 1986, TO POSSESS A VALID BASIC CERTIFICATE ISSUED BY THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING.

VOTE: MAJ APPROPRIATION: NO FISCAL: NO STATE-MANDATED LOCAL FEE: NO

1985 FEB 14 To Com. on JUD.

NO HEARINGS SCHEDULED

POSITION	TYPE	SUBJECT
NOT CONSID	ACTIVE	STANDARDS

SB0535 -- WATSON

CRIMINAL LAW: DOMESTIC VIOLENCE

SB 535 WOULD REPEAL THE PROVISION UNDER EXISTING LAW WHICH AUTHORIZES THE ISSUANCE OF A STAY-AWAY ORDER IN A CRIMINAL CASE INVOLVING DOMESTIC VIOLENCE WHERE, WITH NOTICE TO THE DEFENDANT AND UPON AN AFFIDAVIT, A LIKELIHOOD OF HARRASSMENT OF THE VICTIM BY THE DEFENDANT HAS BEEN DEMONSTRATED TO THE SATISFACTION OF THE COURT. IT ALSO WOULD MAKE A TECHNICAL CHANGE. URGENCY STATUTE.

VOTE: 2/3 APPROPRIATION: NO FISCAL: NO STATE-MANDATED LOCAL FEE: NO

1985 JUN 4 To Com. on PUB. S.

IN READING: IN ASSEN--2ND READING FILE--SENATE BILLS
ITEM NUMBER: 5

POSITION	TYPE	SUBJECT
NEUTRAL	ACTIVE	TRAINING

SR0757 --- RUSSELL CHILD ABUSE AND NEGLECT

SB 757, EXISTING LAW PROVIDES THAT IN LIEU OF PROSECUTING A PERSON WHO IS SUSPECTED OF VIOLATING LAWS IN WHICH A MINOR IS A VICTIM OF AN ACT OF ABUSE OR NEGLECT, AND WHO IS REFERRED BY THE LOCAL POLICE OR SHERIFF'S DEPARTMENT, THE PROSECUTING ATTORNEY MAY REFER THAT PERSON TO THE COUNTY DEPARTMENT IN CHARGE OF PUBLIC SOCIAL SERVICES FOR COUNSELING AND OTHER SERVICES, AFTER SEEKING THE ADVICE OF THE COUNTY DEPARTMENT IN CHARGE OF PUBLIC SOCIAL SERVICES IN DETERMINING WHETHER OR NOT TO MAKE THE REFERRAL. IN THE CASE OF A PERSON SUSPECTED OF SEXUAL ABUSE OF A CHILD, CERTAIN SPECIFIED CONDITIONS MUST BE COMPLIED WITH IN ORDER TO MAKE SUCH A REFERRAL. THIS BILL WOULD DELETE THE REQUIREMENT THAT THE PERSON BE REFERRED TO THE PROSECUTING ATTORNEY BY THE LOCAL POLICE OR SHERIFF'S DEPARTMENT. THIS BILL WOULD REQUIRE THAT THE LAW ENFORCEMENT AGENCY HAVING JURISDICTION OVER A CASE SHALL REPORT TO THE COUNTY WELFARE DEPARTMENT THAT IT IS INVESTIGATING THE CASE WITHIN 24 HOURS AFTER STARTING ITS INVESTIGATION. THIS BILL WOULD PROVIDE THAT ANY OFFICER ASSIGNED TO INVESTIGATION DUTIES WHICH INCLUDE THE HANDLING OF CASES INVOLVING THE SEXUAL EXPLOITATION OR SEXUAL ABUSE OF CHILDREN MUST SUCCESSFULLY COMPLETE THE SPECIFIED TRAINING WITHIN 6 MONTHS OF THE DATE OF THE ASSIGNMENT. THIS BILL WOULD APPROPRIATE \$30,000 FROM THE GENERAL FUND TO THE OFFICE OF CRIMINAL JUSTICE PLANNING IN AUGMENTATION OF A SPECIFIED ITEM OF THE BUDGET ACT OF 1985. THIS BILL WOULD PROVIDE THAT NO REIMBURSEMENT SHALL BE MADE FROM THE STATE MANDATES CLAIMS FUND FOR COSTS MANDATED BY THE STATE PURSUANT TO THIS ACT, BUT WOULD RECOGNIZE THAT LOCAL AGENCIES AND SCHOOL DISTRICTS MAY PURSUE ANY AVAILABLE REMEDIES TO SEEK REIMBURSEMENT FOR THESE COSTS. <JUNE 4, 1985 AMENDED VERSION>

VOTE: 2/3 APPROPRIATION: YES FISCAL: YES STATE-MANDATED LOCAL FUND: YES

1985 JUN 11 To Com. on PUB. S.

NEXT HEARING: ASSEMBLY PUBLIC SAFETY
MON, JUL 8, 1985 -- Room 447 -- 1:30 p.m.

POSITION	TYPE	SUBJECT
NEUTRAL	ACTIVE	TRAINING

SB1374 --- KEENE FINES AND FORFEITURES: CALIFORNIA HIGHWAY PATROL

(2) THE BILL WOULD PROVIDE THAT, NOTWITHSTANDING SECTION 2231.5 OF THE REVENUE AND TAXATION CODE, THIS BILL DOES NOT CONTAIN A REPEALER, AS REQUIRED BY THAT SECTION; THEREFORE, THE PROVISIONS OF THE BILL WOULD REMAIN IN EFFECT UNLESS AND UNTIL THEY ARE AMENDED OR REPEALED BY A LATER ENACTED BILL.

1985 JUN 25 To Com. on PUB. S.

POSITION	TYPE	SUBJECT
NEUTRAL	ACTIVE	FUNDING

VOTE: APPROPRIATION: NO FISCAL: YES STATE-MANDATED LOCAL PGM: NO

1985 APR 18 Re-referred to Com. on JUD.

NO HEARINGS SCHEDULED

POSITION	TYPE	SUBJECT
NOT CONSID	ACTIVE	FUNDING

BILL ANALYSIS

State of California
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
P.O. Box 20145
Sacramento, California 95820-0145

Department of Justice

TITLE OR SUBJECT

Penalty Assessments: Study

AUTHOR

Senator Presley

BILL NUMBER

SCR 34

SPONSORED BY

Southern California Auto Club

RELATED BILLS

DATE LAST AMENDED

4-10-85

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

General

Senate Concurrent Resolution 34 would:

1. Require the Judicial Council of California to establish a committee to study the penalty assessment process now used to fund various programs.
2. Require that the committee include various user groups.
3. Require the committee to report their finding to specified Assembly and Senate Committees no later than December 31, 1985.

Analysis

The sponsors of this bill indicate that the original purpose of the penalty assessment on traffic fines was to provide funds for public school driver training programs, which constituted a logical relationship. Currently, most of the programs funded from the penalty assessment have no such logical connection. It is their feeling that a study should be conducted to explore appropriate funding mechanisms for the agencies now receiving monies from the Assessment Fund.

Currently, there are seven programs which receive money directly from the penalty assessment of \$5 on every \$10 of fine assessed under Penal Code Section 1464. These groups are 1) Fish and Game Preservation Fund, 2) Restitution Fund, 3) Peace Officers Training Fund, 4) Driver Training Penalty Assessment Fund, 5) Corrections Training Fund, 6) Local Public Prosecutors and Public Defenders Training Fund, and 7) Victim-Witness Assistance Fund. In addition, there are various other penalty assessments which are allowed as a local option for such things as courthouse construction, etc. There are other legislative proposals now introduced which would further increase this percentage.

The original intent of assessing a modest penalty assessment to fund driver training has been modified to the point where the assessment could equal the fine in the not too distant future. Many programs which would normally be considered general fund obligations are now being funded exclusively by this special fund money. Because of the process used to generate these special funds, there is no real assurance of a sustained level of income. This situation is made more acute by the continuing addition of new groups and increased penalties.

OFFICIAL POSITION

ANALYSIS BY

Don Beauchamp

DATE

4/23/85

REVIEWED BY

DATE

EXECUTIVE DIRECTOR

Thomas C. Boehm

DATE

4/23/85

COMMENT

Comment

Obviously, the problem will have to be addressed at some point in time. There is a question as to whether a study is the appropriate change mechanism. Another, more immediate, answer might be to deny access of any new groups to this funding program. It has worked well over the years, for the participating agencies, and it need not be jeopardized by other groups seeking the same funding source.

Introduced by Senator Presley

April 10, 1985

Senate Concurrent Resolution No. 34—Relative to penalty assessments.

LEGISLATIVE COUNSEL'S DIGEST

SCR 34, as introduced, Presley. Penalty assessments: traffic violations.

This measure would request the Judicial Council to establish a committee to study and report to the Legislature regarding the use of penalty assessments on traffic and other violations, as specified.

Fiscal committee: yes.

1 WHEREAS, The original purpose of penalty
2 assessments on traffic infractions was to finance public
3 school driver education programs; and

4 WHEREAS, The majority of current penalty
5 assessment moneys are diverted to programs that do not
6 have a logical relationship to traffic infractions; and

7 WHEREAS, Penalty assessments may comprise up to
8 an additional 80 percent of the fine with less than 15
9 percent of the penalty assessment dedicated to driver
10 training; and

11 WHEREAS, The assessments on traffic violations bring
12 in far more revenue than those penalties assessed on
13 criminal and violent crimes, yet penalty assessments
14 support courthouse construction, juvenile justice
15 facilities, fish and game preservation, correctional officer
16 training, peace officer training, and restitution funding;
17 and

18 WHEREAS, The above-cited programs are vital to the
19 state's well-being; and

1 WHEREAS, It is desired that these various programs
2 be provided a stable and predictable source of funding;
3 and

4 WHEREAS, Traffic fines should be levied to deter
5 unlawful conduct rather than as a means of generating
6 revenue; now, therefore, be it

7 *Resolved by the Senate of the State of California, the*
8 *Assembly thereof concurring,* That the Judicial Council of
9 California is requested to establish a committee to study
10 penalty assessments and compare the sources of
11 contribution to the benefits gained and recommend
12 other revenue sources from which various penalty
13 assessment programs may be funded; and be it further

14 *Resolved,* That the committee include representatives
15 of law enforcement, court personnel, motor clubs, and
16 other appropriate user groups who shall serve without
17 compensation; and be it further

18 *Resolved,* That the committee report its findings and
19 recommendations to the Chair of the Senate Judiciary
20 Committee and the Chair of the Assembly Public Safety
21 Committee not later than December 31, 1985; and be it
22 further

23 *Resolved,* That the Secretary of the Senate transmit a
24 copy of this resolution to the Director of the
25 Administrative Office of the Courts.

BILL ANALYSIS

State of California Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
P.O. Box 20145
Sacramento, California 95820-0145

TITLE OR SUBJECT

Study: Peace Officer Killings

AUTHOR

Assemblyman Stirling

BILL NUMBER

AB 1911

SPONSORED BY

Author

RELATED BILLS

DATE LAST AMENDED

7-1-85

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

General

Assembly Bill 1911 would:

1. Appropriate \$98,000 from the Assessment Fund to the Commission on Peace Officer Standards and Training (POST).
2. Require POST to complete a study of peace officers killed in the line of duty, and submit the study to the Legislature by December 31, 1986.
3. Require POST to include in the study, guidelines establishing standard procedures which may be followed by law enforcement agencies.
4. Require POST to include instruction in these procedures in the basic course of training.

Analysis

Because several peace officers have been killed recently in the line of duty, particularly in the San Diego area, the author is of the opinion that a study of the circumstances surrounding these deaths should be undertaken by an impartial agency. It was felt that POST, by virtue of its statewide selection and training responsibilities, is the logical agency to conduct this study. The author feels that as a result of this study, more appropriate operational and training standards may be developed and implemented.

POST has been involved in various studies, guidelines development and training activities, both independently and by direction of the Legislature, over a prolonged period of time. Examples of previous legislatively mandated assignments are contained in Penal Code Sections 13516 (Sexual Assault Cases), 13517 (Child Abuse or Neglect Cases), and 13519 (Domestic Violence Cases).

Because of the scope of this legislation (cataloging and case study, guideline development and training course modification) is very broad, and will involve statewide research of cases going back a number of years, the fiscal impact will be significant and not within the current budgetary resources of POST. According to the Attorney General's Office, there have been 91 peace officers killed in California in the last ten years. Researching the cases in a detailed manner sufficient to draw conclusions as to the factors responsible for the ultimate death of the officers and the development of the required report, guidelines and training standard will require at least one man-year of

OFFICIAL POSITION

ANALYSIS BY

Don Blanchamp

DATE

6/5/85

REVIEWED BY

DATE

EXECUTIVE DIRECTOR

Norman C. Belton

DATE

6/14/85

COMMENT

consulting time by a senior consultant, plus whatever clerical, travel/per diem, publication and miscellaneous costs are required to support the effort. Based on current state allowances, it is estimated the total cost will be approximately \$98,300.00. Because there are sufficient funds in the Peace Officer Training Fund to augment the POST budget, we are requesting that the 1985 budget be supplemented by \$98,000.00. No general fund resources will be involved.

Comments

Because there is a demonstrated need for a study to be conducted, and POST is an appropriate agency to undertake such a task, it is recommended that the Commission support AB 1911.

Recommendation

"Support"

AMENDED IN SENATE JULY 1, 1985
AMENDED IN ASSEMBLY MAY 28, 1985
AMENDED IN ASSEMBLY MAY 15, 1985
AMENDED IN ASSEMBLY APRIL 24, 1985

CALIFORNIA LEGISLATURE—1985-86 REGULAR SESSION

ASSEMBLY BILL

No. 1911

Introduced by Assembly Member Stirling

March 7, 1985

An act relating to criminal law, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1911, as amended, Stirling. Criminal law: peace officers.

Existing law establishes the Commission on Peace Officer Standards and Training, which is charged with the development of standards and training programs for peace officers, as specified. Existing law provides for the transfer of a portion of penalty assessments to the Peace Officers' Training Fund, which is continuously appropriated for grants to local governments and districts and for costs of administration.

This bill would appropriate \$98,000 from the Peace Officers' Training Fund, in augmentation of Item 8120-001-268 of the Budget Act of 1985, for provision of a study of the circumstances under which peace officers are killed in the course of their employment. The study would be required to include the preparation of guidelines establishing *optional* standard procedures concerning those situations. The study would be required to be submitted to the Legislature by December 31, 1986.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The sum of ninety-eight thousand
2 dollars (\$98,000) is hereby appropriated from the Peace
3 Officers' Training Fund in augmentation of Item
4 8120-001-268 of the Budget Act of 1985, for the provision
5 of a study, to be submitted to the Legislature by
6 December 31, 1986, of the circumstances under which
7 peace officers are killed in the course of their
8 employment. The study shall include the preparation of
9 guidelines establishing *optional* standard procedures
10 which may be followed by law enforcement agencies to
11 better enable peace officers to deal with these situations.
12 The basic course of training for law enforcement officers
13 shall include adequate instruction in these standard
14 procedures.

O

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

4949 BROADWAY
P. O. BOX 20145
SACRAMENTO 95820-0145

Commission on Peace Officer Standards and Training
Advisory Committee Meeting

Bahia Hotel - Mission Ballroom
998 West Mission Bay Drive
San Diego, California
July 24, 1985

AGENDA

- | | |
|---|-----------------|
| Call to Order and Roll Call | - Chair |
| Approval of Minutes of Previous Meeting | - Chair |
| Announcements | - Chair |
| Commission Liaison Committee Remarks | - Commissioners |
| Staff Liaison Remarks | - Staff |
| Law Enforcement Privatization Trends | - Chair |
| Recognition of Experience for POST Certificates | - Chair |
| Commission Meeting Agenda Review | - Staff |
| Committee Member Correspondence | - Chair |
| Committee Member Reports | - Members |
| Open Discussion | - Members |
| Adjournment | - Chair |

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

4949 BROADWAY
P. O. BOX 20145
SACRAMENTO 95820-0145

POST ADVISORY COMMITTEE MEETING

April 24, 1985

Beverly Garland Motor Lodge
Sacramento, California

MINUTES**CALL TO ORDER**

The meeting was called to order at 10 a.m. by Vice-Chairman Michael Sadleir.

ROLL CALL OF ADVISORY COMMITTEE MEMBERS

Roll was called.

Present were: Michael Sadleir, Vice-Chairman
Don Brown
Ben Clark
Ray Davis
Barbara Gardner
Michael Gonzales
Ron Lowenberg
William Oliver
Carolyn Owens
William Shinn
Mimi Silbert

Absent were: Michael D'Amico (excused)
Joe McKeown (excused)
Jack Pearson
J. Winston Silva

Commissioner Glenn Dyer was present representing the Commission Advisory Liaison Committee.

POST Staff: Glen Fine, Deputy Executive Director
Don Beauchamp, Assistant to Executive Director
Harold Snow, Bureau Chief
Ray Bray, Senior Consultant
Judy Yamamoto, Secretary

Guests: Captain Shelby Worley, Riverside Co. Sheriff's Dept.
Gary Wiley, President of CAPTO, Redondo Beach Police Dept.

APPROVAL OF MINUTES

MOTION - Clark, second Davis - carried unanimously for approval of the minutes of the January 23, 1985 Advisory Committee Meeting at the San Diego Hilton, San Diego.

ANNOUNCEMENTS

Don Beauchamp reported that Joe McKeown could not attend today and that Michael Sadleir was asked to chair this meeting. He also reported that the Executive Director was away from Sacramento on Commission business and sends his greetings.

CIVILIANIZATION STUDY

The Commission directed POST staff to study civilianization in law enforcement. Hal Snow and Ray Bray reviewed staff's progress to date. Hal Snow reported that POST has revised its Complaint/Dispatcher Course. Also, a field training guide for dispatchers is in its final completion phase.

A draft survey was handed out to the members. The survey requests information regarding the number of civilians and their rank, kinds of positions civilians are used in, and their training needs. Comments regarding the survey are welcomed, either by writing or telephoning Hal or Ray, within the next two or three weeks.

Sheriff Clark stated that POST should try to collect as much information as possible regarding civilians, including selection standards. With this information, one agency would have a handle on the whole picture (civilians in law enforcement).

DOMESTIC VIOLENCE STUDY

Hal Snow reviewed the progress of the Domestic Violence Study. The study, required by the Legislature, requires POST to develop guidelines for law enforcement and develop curriculum to train recruit and in-service officers in domestic violence. A draft copy of the guidelines and curriculum was sent to each member before the meeting. The advisory committee working with POST on this study is recommending that the in-service training be available to officers as well as to supervisors, and that a brief version be available to executives. It is planned that the guidelines will be taken to the October Commission meeting for a public hearing. Hal stated that he would appreciate comments on the draft guidelines from members of the Advisory Committee.

POST FACILITY STATUS

Don Beauchamp briefed the members on the progress of POST's new facility. The new facility will house all of POST's staff in one location and will have easy access to downtown and major freeways. The new facility (located at the corner of Stockton and Alhambra Boulevards) will have conference rooms and training rooms, which can be divided into smaller classrooms. The planned move date is for the end of June. Don invited members to tour the facility either before or after the move.

COMMISSION MEETING AGENDA REVIEW

Glen Fine, Deputy Executive Director, reviewed and discussed the Commission Meeting Agenda for the next day's meeting.

COMMITTEE MEMBER REPORTS

Women Peace Officers' Association - Barbara Gardner reported that WPOA will be holding its annual training conference April 29-May 1 in San Jose.

Peace Officers' Research Association of California - William Shinn reported PORAC is meeting more consistently with executives, and supported study of civilians in law enforcement.

California Peace Officers' Association - Chief Davis reported CPOA's annual training conference will be held May 14-18 in San Francisco.

California Specialized Law Enforcement - Mike Sadleir reported that the specialized law enforcement group has met with the State Personnel Board to discuss psychological testing. The training officers of the Department of Fish and Game, Parks and Recreation, and Forestry are meeting monthly to discuss mutual concerns.

OPEN DISCUSSION

Mike Sadleir brought up for discussion the recommendations made by the Advisory Committee about a year ago that were given to the Commission. The recommendations were assigned to the Commission's Long Range Planning Committee. The Committee met with representatives of the Advisory Committee, and reviewed the recommendations. Commissioner Dyer stated that a report was made and sent to each Advisory Committee member.

After discussion it was decided that the Advisory Committee should take one topic at a time and discuss it at its meeting. Whether the Committee reached a conclusion or not, it was felt that this would further the Commission's knowledge on a particular topic.

Chief Oliver brought to the attention of the Committee, a Supreme Court decision regarding the Fair Labor Standards Act, rendered on February 19, 1985. The decision does not exempt peace officers from being paid overtime at time-and-a-half, and does not allow compensatory time off to be accumulated more than a week. The decision may fiscally impact many agencies, such as department-run academies which train their recruits 40+ hours a week. The Department of Labor will examine police and fire exemptions.

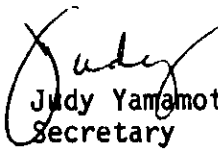
NEXT MEETING

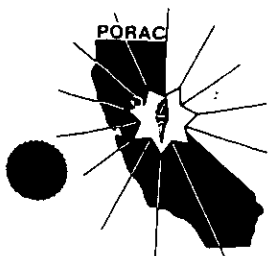
Don Beauchamp asked the Committee if they would like their next meeting held in the new POST facility, which would have the Commission meeting in a different city, or postpone meeting in the new facility when the Committee is scheduled to meet in Sacramento again. Since many of the members attend Commission meetings, it was decided that the Committee would meet in the new POST facility at its April, 1986 meeting.

The next meeting of the Advisory Committee will be July 24, 1985, at the Bahia Hotel, San Diego, followed by a joint meeting with the Commission the following day.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 1300 hours.


Judy Yamamoto
Secretary



Peace Officers Research Association of California

STATE OFFICE
1911 F Street • Sacramento, CA 95814
(916) 441-0660
(800) 952-5263

SOUTHERN CALIFORNIA REGIONAL OFFICE
268 North Lincoln, Suite 15B
Corona, CA 91720
(714) 734-0885

June 18, 1985

Robert L. Vernon
Commission Chairman
POST
4949 Broadway
P.O. Box 20145
Sacramento, CA 95820-0145

Dear Chairman Vernon:

The Peace Officers Research Association of California (PORAC) strongly recommends the reappointment of Mr. William Shinn as our representative to the POST Advisory Committee.

Our list of three nominees are prioritized as follows:

1. William Shinn
2. Tom Cady
3. Joe Flannagan

Sincerely,

LEN DELANEY
President

LD/mm

cc: Bill Shinn

JUN 20 9 25 AM 1985



california
peace officers'
association

CALIFORNIA PEACE OFFICERS' ASSOCIATION

2012 H STREET, SUITE 102

P.O. BOX 160067, SACRAMENTO, CA 95816

PHONE (916) 446-7847

President

RICHARD RAINEY
Sheriff, Contra Costa County

1st Vice President

RICHARD MOORE
Chief, Atherton

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SHERMAN BLOCK
Sheriff, Los Angeles County

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*Director, Division of
Law Enforcement
California Department of
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Chief, Montebello

ROBERT WASSERMAN
Chief, Fremont

JOYMAN BOEHM

*Executive Director,
Peac. Officers Standards &
Training*

RICHARD BRETZING
*Special Agent in Charge,
Federal Bureau of Investigation -
Los Angeles*

TERRY L. BRISTOL
Sergeant, Santa Barbara County

GIL COERPER
Officer, Huntington Beach

HERB FORCE
*Manager, Corporate Security
Standard Oil Company of
California*

JAMES GARDINER
Captain, Newport Beach

JACK E. GARNER
Chief, Martinez

JOHN V. GILLESPIE
Sheriff, Ventura County

CHARLES GROSS
Chief, Newport Beach

MARVIN D. IANNONE
Assistant Chief, Los Angeles

VINCENT D. JIMNO
Chief, Carlsbad

JOHN P. KEARNS
Chief, Sacramento

CORNELIUS MURPHY
Chief, San Francisco

WILLARD SHANK
*Commanding General
California Military Department*

J. E. SMITH
*Commissioner
California Highway Patrol*

CHARLES THAYER
Chief, Tustin

FLOYD TIDWELL
Sheriff, San Bernardino County

Executive Director

RODNEY PIERINI

June 13, 1985

Robert L. Vernon, Chairman
Commission on Peace Officer
Standards and Training
P.O. Box 20145
Sacramento, CA 95820-0145

Dear Bob:

Based upon your request for a CPOA representative to serve on POST's Advisory Committee, we submit the following names in priority order.

Chief Raymond C. Davis, Santa Ana Police Department
Chief Donald Forkus, Brea Police Department
Chief Jack Garner, Martinez Police Department

Chief Davis has been our representative and is our priority nominee to continue in that role. I thank you and the Commission for your continual interest in CPOA.

Sincerely,

Richard Rainey
President

RR:ma

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WOMEN PEACE OFFICERS' ASSOCIATION

of California, Inc.

1800-B NATIONAL CITY BLVD.
NATIONAL CITY, CA 92050
PHONE: (619) 464-5163

JUN 14 10 47 AM '85

PRESIDENT

KARAN ALVERAZ
Albany Police Dept.

1ST VICE PRESIDENT

DOLORES KAN
Bart Police Dept.

2ND VICE PRESIDENT

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San Joaquin County
Sheriff's Dept.

3RD VICE PRESIDENT

JANELLE FLINT
Modesto Police Dept.

4TH VICE PRESIDENT

KATHERINE GAYLOR
Escondido Police Dept.

RECORDING SECRETARY

CAROLYN ROBERSON
ABC - Salinas

SERGEANT AT ARMS/CHAPLAIN

ALEXIA VITAL-MOORE
Los Angeles County
Sheriff's Dept.

PARLIAMENTARIAN/BYLAWS

BETTY ARNOLD
(Retired) Monterey
County Sheriff's Dept.

TREASURER

BETTY CUNNINGHAM
(Retired) San Jose
Police Dept.

EDITOR/HISTORIAN

PAMELA MURRAY
DOJ - Los Angeles

LEGISLATION

PAMELA MORING
Visalia Police Dept.

MEMBERSHIP

MARY ANN DONOHUE
Escondido Police Dept.

POST REPRESENTATIVE

BARBARA GARDNER
Chula Vista Police Dept.

* * *

EXECUTIVE SECRETARY

CAROL POWELL

June 12, 1985

Robert VERNON
Commission Chairman
POST Advisory Committee
4949 Broadway
Sacramento, CA 95820

Dear Mr. VERNON,

Thank you for your letter and giving me the opportunity to name the representative from Women Peace Officers Association to the POST Advisory Committee.

I have discussed the matter with Barbara GARDNER and she has indicated that she would like to be appointed to the new three year term representing W.P.O.A. which will commence in September, 1986. In order to comply with your request of three nominees for this position I would like to offer the following names in a prioritized order:

Barbara GARDNER

Clara HARRIS

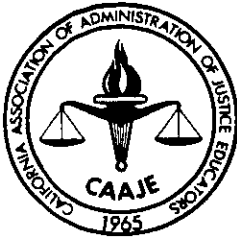
Pat RUCH

Your committees consideration in reappointing Barbara will be greatly appreciated and if there is anything I can do in the future to be of assistance, please do not hesitate to contact me.

Sincerely,

Karan Alveraz
Karan ALVERAZ
President - W.P.O.A.

cc: B GARDNER
files



CALIFORNIA ASSOCIATION OF ADMINISTRATION OF JUSTICE EDUCATORS

June 1, 1985

Robert L. Vernon
Commission Chairman
POST

COMMISSION ON POST
JUN 10 10 51 AM '85

Dear Mr. Vernon:

Thank you for the timely notification for the POST Advisory Committee position. Such communication is really appreciated and word of your concern and action will reach our membership. POST, in my opinion, is the finest training and standards outfit in the U.S. because of the quality of persons serving it, and it is a pleasure for us to be associated with you.

CAAJE would like to recommend three persons, in order of preference, to replace Michael D'Amico:

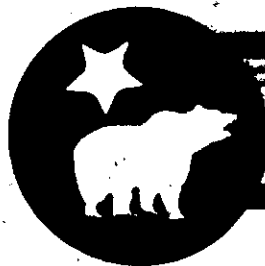
- #1 - Derald D. Hunt, CAAJE Business Manager, 338 Bucknell Rd., Costa Mesa, Ca., 92626
- #2 - Lourn Phelps, San Joaquin Delta College, 5151 Pacific Ave., Stockton, Ca., 95207
- #3 - G. Lyle Davis, Merced College, 3600 "M" St., Merced, Ca., 95340

Thank you again and have a nice summer.

Sincerely,

Richard H. Snibbe, President
CAAJE
c/o Monterey Peninsula College
980 Fremont Street
Monterey, Ca., 93940

cc: Hunt, Phelps, Davis, D'Amico



California Association of Police Training Officers

CAPTO

"PROFESSIONALIZATION THROUGH TRAINING"

June 11, 1985

COMMISSION ON POST
JUN 13 12 31 PM '85

Mr. Norman Boehm, Executive Director
Commission on Peace Officer
Standards and Training
P. O. Box 20145
Sacramento, CA 95820-0145

Dear Mr. Boehm,

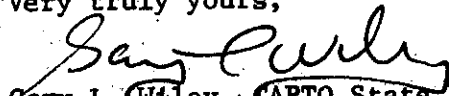
In response to the letter dated May 23, 1985, from Commission Chairman Robert Vernon, each Region of CAPTO has been contacted to select a replacement for Michael Gonzales, who will be resigning as the CAPTO Representative on the POST Advisory Committee. The membership was advised and interested persons were nominated to the Regional Board of Directors.

The below listed persons have been nominated for the position of CAPTO Representative to the POST Advisory Committee in the following order:

1. Sgt. Gary Wiley
Redondo Beach Police Department
401 Diamond Street
Redondo Beach, CA 90277-2895
2. Sgt. Phil McCormick
Grover City Police Department
P. O. Box 365
Grover City, CA 93433
(805) 489-1313
3. Lt. George Foster
Santa Cruz Sheriff's Department
701 Ocean Street, Room 340
Santa Cruz, CA 95060
(408) 425-2006

If there should be any questions, or if I may be of further assistance, please contact me at (213) 379-2477, ext. 342.

Very truly yours,


Gary L. Wiley, CAPTO State President
President, Southern Region
Sergeant, Redondo Beach Police Department

CALIFORNIA POLYTECHNIC STATE UNIVERSITY

SAN LUIS OBISPO, CALIFORNIA 93407
(805) 546-0111



April 3, 1985

Mr. Norman C. Boehm
Executive Director
Commission on Peace Officer
Standards and Training
P.O. Box 20145
Sacramento CA 95820-0145

APR 16 1 38 PM '85
COMMISSION ON POST

Dear Mr. Boehm:

According to policy formulated by your agency, Municipal Police Chiefs and Sheriffs are not required to undergo the Assessment Center Program for acceptance to the Command College Program. This was an issue strongly supported by chief law enforcement executives state-wide, including those of the State University Police Departments.

It has come to my attention that this exemption does not include the Director of Public Safety/Chiefs of Police in the State University System. Perhaps it is just an oversight. It has been my personal view that all Chiefs of Police were exempt. The State University Chiefs certainly do qualify. They are all deeply involved in the P.O.S.T. program and strive for excellence in the area of professional training.

As President of the State University Public Safety Management Association (Chiefs of Police), I would appreciate you researching the matter and supporting a change in the present policy which would allow chiefs in our system exception to the assessment process. I am sure that this privilege will accelerate our chiefs' participation in the program. Thanking you in advance for your consideration of this matter.

Sincerely,

Richard C. Brug

Richard C. Brug
Director of Public Safety
President, State University Public Safety Management Association/
State University Chiefs of Police Association

RCB:jn